

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

MARCH 7, 1997

(Published March 15, 1997,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

March 7, 1997 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Scott, Schulstad,
Herron, Rainville, Dziedzic, Thurber, Campbell,
Biernat, Niland, McDonald, Minn, Mead, President
Cherryhomes.

Campbell moved approval of the minutes of the
adjourned session held February 13 and the regular
meeting of February 21, 1997. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers to
proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

CLAIMS:

CITY CLERK (262508)

Alt, Francine; Arrington, Steven James;
Aubuchon, Andrew & Atty Jill E LeBow; Barber,
LeRoy; Blanco, Paul & Atty Paul R Birnberg;
Bolf, Thomas; Bryant, Brett; Burgess, Robin;
Burton, Norma J; Conway, Carolyn; Cook,
William; Cotton, Geraldine; Davis, Leo; Dunn,
Thomas G; Elasky, Adolph R; Frenkel, Semmy;
Greenlaw, Denise & Atty Stephen W Hance;
Gunderson, Scott David; Hare, Robert H;
Harrison, Sue; Henderson, Shirley & Austin;
Hudson, Jennifer A; Jacobs, Elana S; Jones, Keith
A; Madson, Mike; McKinney, Robert & Karen
Burrell; Miller, Lois R; Metropolitan Council;
Munoz, Juan C; Murray, Leo J; Mwaniki, Robert
H; Ogden, Thomas P; Partney, Michael; Peterson,
Brad; Powless, Marcia; Rodriguez, Joann & Atty

Scott A Banas; Ryder Integrated Logistics; Sayler,
Brenda K; Shackelford, Leo F; Sharp, Anne;
Shingledecker, Terry D; Short, David; Snyder,
Randall P; Stradford Flats Apts/Sherman Assoc.;
Swedberg, Steve; Thornburg, Lewis W; Thornton,
Patrick Allen; Tornes, Larry C; Trinh, Rose (2
claims); Vonfeldt, Agnes V; Waste, Stephen P;
and White, Elroy Floyd Jr & Atty Carl D Schway.

COMMUNITY DEVELOPMENT:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262509)

Fairview Hospital: Letters of 12/2/96 &
2/10/97 recmding preliminary approval to issue bonds,
related to acquisition of U of Minn Hospital &
Clinic, w/attachs; Appl of Fairview for bonds; Two
pub hrg notices.

PUBLIC HOUSING AUTHORITY,
MINNEAPOLIS (262510)

Proposed Tax Increment Legislation for Near
Northside.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262511)

Heritage Landing Redevelopment Proj:
MCDA: Apprv Mod 13 to N Loop Redevelopment
Plan & Mod 46 to Common Plan; Set pub hrg;
Notice.

Planning Comsn: Comments.

W&M/Budget Cmte: Comments.

Henn Cty: Comments.

District Light & Magic: Comments.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262512)

Lot Division - 2401 James Av N: Apprv lot
division & waive requirement for subdivision plat.

Wage & Hour Requirements: Transfer
responsibility for monitoring from MCDA to Civil
Rights Dept.

Precise Products, Inc (1201 Plymouth Av N):
Apprv issue Tax-exempt Refunding Revenue Bonds
& Taxable Refunding Revenue Bonds.

Albert I Halper Box Co, Inc (3552-58 N 2nd St):
Final approval for project & issuance of Tax-exempt
MCDA Limited Tax Supported Development
Revenue Bonds.

**COORDINATOR—GRANTS & SPECIAL
PROJECTS (262513)**

Livable Communities Demonstration Grant
Funding from Met Council: Direct staff to review
potential projects & report back with 3.

**COUNCIL PRESIDENT CHERRY HOMES
(262514)**

Mpls Arts Commission: Reappoint Kaari
Kenmotsu, Deidre L Schmidt & appoint Noel L
James, Debra J Stone & Erik M Takeshita.

MAYOR (262515)

Family Housing Fund of Mpls & St Paul:
Reappoint Albert Hofstede.

**COMMUNITY DEVELOPMENT and
TRANSPORTATION & PUBLIC WORKS
and W&M/BUDGET (See Rep):**

**COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262516)**

Municipal Parking Ramp/West Metro Education
Prog/Univ of St Thomas School of Education Proj
proposed for blk 25 (bounded by LaSalle & Henn
Aves & 9th & 10th Sts): MCDA: Recm apprv
business terms, financing for public redevelopment
costs of proj, & auth execute Redevelopment Contr;
map. Development Finance Cmte: Comments.

**COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (262517)**

Ryan/Target Store Proposal for Blk 34 (bounded
by Nicollet & Henn Aves & 9th & 10th
Sts): MCDA: Recm apprv business terms, financing
public redevelopment costs of proj, &
auth execute Redevelopment Contr; map.
Development Finance Cmte: Comments.

Douglas A Kelley, Atty for Opus: The Blk 34
but for test; Market value test for mid-price retail/Blk
34 development; Letter from Opus to Mayor &
MCDA asking that market competition determine
development of Blk 34; Letter from Opus to Mayor,
Council & MCDA re use of TIF for Ryan/Target
development; Office-hotel-retail plan developed in
1982 for Blk 34, w/drawings; Letter from Opus to
MCDA re Goldman option; Letter from Holmes &
Galey, Ltd to MCDA advising that Opus is pursuing
development of an office tower &

commenting on TI; Letter from Opus to MCDA
opposing MCDA support of Ryan project &
commenting on interference with free market; Opus
drawing of office/retail proposal site plan options
dated Dec 13, 1996.

INTERGOVERNMENTAL RELATIONS:

**LIAISON/FEDERAL, LOCAL AND STATE
(262518)**

Expanding Telephone Assistance Prog: No
position taken re HF #853.

INTERGOVERNMENTAL RELATIONS

(See Rep):

FINANCE DEPARTMENT (262519)

Health Insurance Coverage for Peace Officers:
Endorse proposed legis.

**HEALTH AND FAMILY SUPPORT SERVICES
(262520)**

Core Funding for Public Health: Endorse.

HUMAN RESOURCES (262521)

Employee Benefits: Resl supporting legis
allowing local governments to provide addnl
benefits.

INSPECTIONS DEPARTMENT (262522)

Admin Inspection Warrants: Apprv inclusion
in 1997 Legis Prog.

INTERNAL AUDITOR (262523)

Internal Audit Data: Initiate proposed legis.

**LIAISON/FEDERAL, LOCAL AND STATE
(262524)**

Comm Clinics: Endorse legis re Comm
University Health Care Ctr.

**LIAISON/FEDERAL, LOCAL AND STATE
(262525)**

Metropolitan Agencies: Oppose HF #783 re
abolishing Metro Council, Metro Sports Facilities
Comsn, Metro Radio Bd & Metro Mosquito Control
Dist.

**LIAISON/FEDERAL, LOCAL AND STATE
(262526)**

Property Tax Reform: Info re market value levies
& info re tax reform proposal, HF #639.

**NEIGHBORHOOD SERVICES DEPARTMENT
(262527)**

Welfare Reform: Info re Henn Cty welfare
principles & info re federal welfare reform.

**PUBLIC SAFETY AND REGULATORY
SERVICES:**

REGULATORY SERVICES (262528)

1996 Pet Licensing Campaign: Rep.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

FIRE DEPARTMENT (262529)

Emergency Fire Extinguishing Servs: Auth submit response to RFP to provide servs to Bishop Henry Whipple Federal Bldg at Fort Snelling, Motor Pool Bldg & prkg lot.

INSPECTIONS DEPARTMENT (262530)

Raze Bldgs: Apprv demo of 2502 12th Av S; 3404 41st St E; & 3413 Park Av.

LICENSES AND CONSUMER SERVICES (262531)

Issuance of On-Sale Wine Lics: Ord n amend Title 14, Chap 363 of Mpls Code of Ordns, pursuant to Charter Amend #144.

LICENSES AND CONSUMER SERVICES (262532)

Lics: Appls.

PUBLIC SAFETY AND REGULATORY

SERVICES and WAYS & MEANS/

BUDGET (See Rep):

POLICE DEPARTMENT (262533)

Downtown Command Prkg Spaces: Contr w/Baker Investments.

TRANSPORTATION AND PUBLIC WORKS:

PLANNING COMMISSION/DEPARTMENT (262534)

Public Works Facility (Royalston & Olson Highway): Location & Design review.

TRANSPORTATION AND PUBLIC WORKS

(See Rep):

MINNEAPOLIS DOWNTOWN COUNCIL (262535)

Downtown Skyway Advisory Committee: Apprv appointments of Brent Erickson, rep United Properties; Robert Best, rep Institutional Realty Management; and David Laskey, rep Dayton's to fill unexpired terms expiring 12/31/97.

PUBLIC WORKS AND ENGINEERING (262536)

Critical Parking Area (East River Road Neighborhood): Etab Type B Area on E River Terrace, Seymour Av SE, Thornton St SE & Cecil St SE (No Parking 8AM-3AM, except by permit).

County State Aid Highway System: Designate TH 122 (Washington Av) from I35W Ely to University Av.

4th Avenue South Bridge Proj: Execute documents to accept easements from Honeywell Corporation.

1997 Residential Paving Prog (Nicollet Island; Whittier (NE); Elliot Park): Designation, Cost Estimate, List of Benefited Properties, Uniform Assessment Rates and set public hearing.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET

(See Rep):

PUBLIC WORKS AND ENGINEERING (262537)

Olsen-Minneapolis Property (140 N 12th St): Incr purchase price for real estate property, lease rights to outdoor advertising sign & relocation costs; draft & execute documents.

Fire Department Training Simulator Proj: Auth expend fund balances from Fire Station Relocation Fund for construction of bid alternates #4, #6 & #7, submitted under OP #4527.

PURCHASING (262538)

Bids: Accept OP #4537, low bid mtg specs of Duncan Industries for parking meter adaptors; OP #4527, low bid of Shaw Lundquist Assoc for construction of Fire Training Facility - Phase II, w/alternates.

WATER DEPARTMENT (262539)

New 40 Million Gallon Finished Water Reservoir at Hilltop Reservoir Site: Execute professional services agrmt w/STS Consultants Ltd to perform final phase for soil drilling test borings & provide geotechnical engineering services for design & construction of reservoir.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET and

ZONING & PLANNING (See Rep):

LOWRY HILL EAST NEIGHBORHOOD ASSOCIATION, ET AL (262540)

Hennepin-Lyndale-Lake Street Task Force: Provide City technical assistance to task force to develop Area Wide Parking Management Plan for Uptown area.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (262541)

Travel Expense Rep: 4th Quarter 1996.

WAYS AND MEANS BUDGET (See Rep):

ASSESSOR (262542)

Leasehold Cooperative: Apprv homestead status for addn to New Village Coop (2733 Portland Av S); Finding by City Atty.

ATTORNEY (262543)

Settlements: Claims of Kathleen Rosene & workers' comp claim of Richard Larson.

COORDINATOR (262544)

Appts to Police & Fire Pension Bds: Apprv appt/reappt of Monica Hennessy & Scott Renne to Police Relief Assn Bd & David Foster & Lori Economy-Scholler to Fire Dept Relief Bd.

FINANCE DEPARTMENT (262545)

Finance System Servs: Incr contr w/American Management Systems to provide addnl hours of professional servs.

HUMAN RESOURCES (262546)

Mpls Assn of Fire Chiefs Contr Settlement: Apprv terms of labor agrmt & salary adjustments.

Reclassifications: Estab salary for the positions of Yard Coordinator II (Pub Wks), Construction Equipment Operator/Oiler (Pub Wks), Traffic Control Agent I & II (Licenses & Consumer Servs).

NEIGHBORHOOD SERVICES DEPARTMENT (262547)

Gtr Mpls Day Care Assn: Amend contr to extend end date for Child Care Facility Renovation Prog & Sliding Fee Prog.

Truancy Servs: Issue fund avail notice to Mpls Public Schools for early intervention servs.

North High Academy of Manufacturing & Technology: Modify fund avail notice w/Mpls Urban League to reflect change in CDBG funding.

Curfew/Truancy Ctr: Issue fund avail notice to Mpls Urban League to provide CDBG funds for ctr operations.

PARK BOARD (262548)

Park Projs: Request apprvl to transfer net debt bond funds from certain completed projs to other park projs.

PUBLIC WORKS AND ENGINEERING (262549)

1997 Water Works Capital Prog: Apprv addns & deletions; Auth expenditure of Water Fund balances in lieu of net debt bonds.

ZONING AND PLANNING

MOORE, CORNELL (262550)

Appeal filed from decn of Planning Comsn: Leslie Scarramuzzo: Ltr received re appeal from decn granting SBA Inc, for Sprint Spectrum for a communication tower at 4120-17th Av S. (See Report of 2/21/97).

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (262551)

5th St S, 29 (Susan Erickson/Opus Corp) sign; Central Av NE, 3634 (Fred Downing) billboard.

HERITAGE PRESERVATION COMMISSION (262552)

Heritage Preservation: Recmds for local heritage preservation designation for the exteriors of the Old East Lake Library, 2916 E Lake St & Linden Hills Library, 2900 W 43rd St, w/Attachment.

PLANNING COMMISSION/DEPARTMENT (262553)

Rezoning: Fred Linehan: 3017 W 56th St & 5600 Washburn Av S from B2S-1 to the B1-1 Dist; BSR Properties: 600 Washington Av N from M2-4 to the M2-4 w/Industrial Living Overlay Dist designation.

COMMITTEE OF THE WHOLE (See Rep):

CONCIL MEMBER MINN (262553.1)

Living Wage Policy: Joint Mpls-St Paul Living Wage Jobs Task Force Policy Recommendations (proposed substitute amend); Comparative analysis of Mpls & St Paul living wage proposals (as prepared by MCDA & modified by Minn).

COUNCIL MEMBER NILAND (262554)

Living Wage Policy: Council Member Niland: Notice of pub hrg; Recmds of Joint Mpls-St Paul Living Wage Jobs Task Force; Comments in support from Mayor, MN AFSCME Council 14, Central Labor Union Council, St Paul Trades & Labor Assembly, Mpls Area Synod of Evangelical Lutheran Church in America, Church of St Stephen, Church of St Joan of Arc, United Food & Commercial Workers Union Local 789, Communities of Faith (including Archdiocese of St Paul-Mpls, Presbytery of Twin Cities, United Church of Christ), Jewish Community Action; Two versions Proposed Living Wage Policy, dated 2/14/97 & 3/4/97.

HIRED-JOB LINK: Info sheet.

Council Member Scott: Comments from Franklin Nat'l Bank, Miller & Schroeder Financial, Inc. Finance Officer: Comments.

MCDA: Wage/rate comparisons; Applicability of proposed policy on current MCDA economic development progs; Comparative Analysis of St Paul & Mpls living wage proposals; Minn Stat 645.445 Small Business Definitions; Clarification of Job Creation & Retention Assistance & review of recent MCDA projects as they would have been affected by proposed policy; Entry level wage rates at selected downtown Mpls locations. City Attorney: Comments. Todd Pufahl: Comments.

PLANNING COMMISSION:

BURNS, NEAL M AND RUSSELL, MARTHA G (262555)

Permsn to vacate portion of W 37th St vicinity 3647 Abbott Av S.

MOTIONS:

MAYOR (262556)

Mpls Arts Commsn: Reappt Dawn M Loven & Geol L Weirs & appt Stephen Thos Rueff & Dana Flor Elsen.

MOTIONS (See Rep):

PLANNING COMMISSION/DEPARTMENT
(262557)

Environmental Assessment Worksheet:

1000 Nicollet Mall Project: Findings of Fact & Record of Decision on EAW for project proposed by Dayton Hudson Corp, to be located betw 10th & 11th Sts, Nicollet Mall & LaSalle Av.

FILED:

FINANCE DEPARTMENT (262558)

Investment Management System and Reconciliation report through January 31, 1997.

FINANCE DEPARTMENT (262559)

Schedule of General Obligation Bonded Debt & Schedule of Self-Supporting Revenue Bonds for 2/28/97.

MINNESOTA STATE OFFICES-Auditor
(262560)

Annual financial report and Management & Compliance report for the year ended December 31, 1995.

MINNESOTA STATE OFFICES-Auditor
(262561)

Management & compliance for the year ended December 31, 1995.

FILED (See Rep):

CITY CLERK/SPECIAL PERMITS (262562)

1st Av N, 600 (Target Center) horses; 43rd Av S, 3733 (Howe School PTA) horse & carriage; Downtown area (Shrine Circus) elephants; Lake St E, 1522 (Bloomington-Cedar Lake Commercial Club) festival; Lyndale Av S, 3544 (Suburban Lighting Inc) sign.

MAYOR (262563)

Vetoed Council action: Reasons for veto action on IGR rep re rental property tax relief proposed legislation.

**REPORTS OF
STANDING COMMITTEES**

The COMMUNITY DEVELOPMENT

Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the division of the lot at 2401 James Av N, and having conducted a public hearing

thereon, now recommends passage of the accompanying resolution approving the division and waiving the requirement of a subdivision plat. (Petr No 262512)

Your Committee further recommends that this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

RESOLUTION 97R-041

By Niland

Approving the subdivision of a lot at 2401 James Avenue North.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 2401 James Avenue North and legally described as:

That part of Lot 29, Block 8, Forest Heights described as follows: Commencing at the Southeasterly corner of said Lot 29; thence Northeasterly along the front line of said Lot 33 feet; thence in a straight line to a point in the rear line of said lot distant 27.93 feet from the Southwesterly corner of said lot; thence Southwesterly along said rear line to the Southwesterly corner; thence Southeasterly along the Southwesterly line of Lot 29 to the point of beginning, Hennepin County, Minnesota. be subdivided as follows:

TF-300 A: The Southwesterly 8 feet of Lot 29, Block 8, Forest Heights, Hennepin County, Minnesota.

TF-300 B: Except for the Southwesterly 8 feet of Lot 29, Block 8, Forest Heights, that part of Lot 29, Block 8, Forest Heights described as follows: Commencing at the Southeasterly corner of said Lot 29; thence Northeasterly along the front line of said Lot 33 feet; thence in a straight line to a point in the rear line of said Lot distant 27.93 feet from the Southwesterly corner of said Lot; thence Southwesterly along said rear line to the Southwesterly corner; thence Southeasterly along the Southwesterly line of Lot 29 to the point of beginning, Hennepin County, Minnesota.

Whereas, the MCDA intends to convey the subdivided parcels to create the following combined parcels:

TF-300 A (2373 James Avenue North): Lot 28 and the Southwesterly 8 feet of Lot 29, Block 8, Forest Heights, Hennepin County, Minnesota.

TF-300 B (2405 James Avenue North): Except the Southwesterly 8 feet of Lot 29, Block 8, Forest

Heights, Hennepin County, Minnesota;

That part of Lot 29, Block 8, Forest Heights described as follows: Commencing at the Southeasterly corner of said Lot 29; thence Northeasterly along the front line of said Lot 33 feet; thence in a straight line to a point in the rear line of said Lot Distant 27.93 feet from the Southwesterly corner of said Lot; thence Southwesterly along said rear line to the Southwesterly corner; thence Southeasterly along the Southwesterly Line of Lot 29 to the point of beginning, Hennepin County, Minnesota; and

All those parts of Lots 29 and 30 in Block 8 in Forest Heights, described as follows: Beginning at a point on the front line of said Lot 29, 33 feet Northeasterly from the most Southerly corner of said Lot 29; thence Northeasterly along said front line of said Lots 29 and 30 to a point on the front line of said Lot 30, 34 feet Southwesterly from the most Easterly corner of said Lot; thence Northwesterly on a straight line across said Lot to a point on the rear line thereof Distant 29 feet Southwesterly from the most Northerly corner of said Lot; thence Southwesterly along said rear line of said Lots 29 and 30 to a point 27.93 feet from the most Westerly corner of said Lot 29; thence on a straight line Southeasterly across said Lot 29 to point of beginning, Hennepin County, Minnesota.

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis Planning Commission on May 27, 1981; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on February 13, 1997, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA on February 24, 1997, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above described property be approved and the requirement of a subdivision plat be waived.

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev - Your Committee, having under consideration Modification No 13 to the North Loop Redevelopment Plan and Modification No 46 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan both related to the Heritage Landing Redevelopment Project, dated January 24, 1997, and set forth in Petn No 262511, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said Modifications.

Your Committee further recommends that this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

RESOLUTION 97R-042

By Niland

Adopting Modification No 13 to North Loop Redevelopment Plan, and Modification No 46 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan (Heritage Landing) to designate property that may be acquired and to reflect increased project costs.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement city development districts, redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; and Laws of Minnesota 1971, Chapter 677 (the "Project Laws").

1.2. By Resolution duly adopted on August 31, 1973 and subsequent resolutions, the City approved the creation of the North Loop Redevelopment Project and the adoption of the North Loop Redevelopment Plan, as modified. The North Loop Redevelopment Project is included within the Common Project Area.

1.3. It has been proposed that the Agency modify the Common Plans and the North Loop

Redevelopment Plan (the "Modifications") to reflect the identification of additional property that may be acquired, and increased project costs, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended.

1.4. The Agency has caused to be prepared, and this Council has investigated the facts with respect thereto, a proposed Modification No 46 to the Common Plans ("Modification No 46"), describing more precisely the property that may be acquired within the Common Project Area and the project costs to be undertaken within the Common Project Area and a proposed Modification No 13 to the North Loop Redevelopment Plan ("Modification No 13") describing more precisely the property that may be acquired (the "Redevelopment Property").

1.5. By Resolution No 89R-530, duly adopted December 15, 1989 and approved December 21, 1989, the City Council of the City approved the creation by the Agency of the Common Development and Redevelopment Project (the "Common Project Area") and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Finance Plan (the "Common Plans") relating thereto, all pursuant to the Agency Laws and the Project Laws.

1.6. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Modifications including, but not limited to, a review of the proposed Modifications by the affected neighborhood groups, and the Planning Commission, transmittal of the proposed Modifications at least thirty days prior to a public hearing of the proposed Modifications to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing upon published and mailed notice as required by law.

Section 2. Findings for the Adoption of the Modifications.

2.1. The Council hereby determines that it is necessary and in the best interest of the City at this time to approve the Modifications to reflect the identification of property that may be acquired and the specification of the project costs to be undertaken within the Common Project Area; and to approve the Modification to the North Loop Redevelopment Plan to reflect the identification of additional property that may be acquired.

2.2. The Council further finds, determines, and declares that the Modifications conform to the general plan for the development of the City as a whole. Written comments of the Planning Commission with respect to the Modifications were issued on February 19, 1997.

2.3. The Council further finds, determines, and declares that the Modifications will afford maximum opportunity, consistent with the needs of the City as a whole, for the redevelopment of the District and the Common Project Area by private enterprise.

2.4. The Council further finds, determines and declares that the proposed development or redevelopment of housing and other improvements proposed to be constructed upon the Redevelopment Property within the District would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future absent the approval of the Modifications, since the Redevelopment Property requires environmental remediation and has remained vacant and underutilized for at least the past fifteen years, and that the increased market value of the Redevelopment Property that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Project Laws as identified in the Common Plans.

2.5. The Council further finds, determines and declares that the land in the North Loop Redevelopment Project would not be made available for redevelopment without the financial aid to be sought since the environmental remediation, public improvements and reduction in the cost of some of the Redevelopment Property are necessary in order to permit the construction of certain housing units upon the Redevelopment Property as proposed.

2.6. The Council further reconfirms and redeclares that the North Loop TIF District is a "redevelopment district" (the "District") (as defined in Minnesota Statutes, Section 469.174, subd. 10). This finding was made on the date the City Council approved the District. The boundaries of the District are not being altered and no additional land or other property is being added to the District and, therefore, no additional findings are required as to the statutory classification of the

District. The reasons and supporting facts for the determination that the District is a "redevelopment district" have been retained by the Agency and are available to the public.

2.7 The Council further finds, determines and declares that the actions authorized by these Modifications are all pursuant to and in accordance with the Project Laws.

2.8. The Council hereby finds, determines, and declares that: (i) the public notice required by Minnesota Statutes, Section 469.175, subd. 3, was published in a newspaper of general circulation in the City at least ten days but not more than thirty days prior to the date of the public hearing required by Minnesota Statutes, Section 469.175, subd. 3; (ii) the public hearing required by Minnesota Statutes, Section 469.175, subd. 3, was held on the date and at the place set forth in the public notice; and (iii) all procedural requirements imposed by applicable statute, ordinance, resolution, or policy with respect to the Modifications have been complied with by the Agency and the City.

Section 3. Approval of the Modifications.

3.1. Based upon the findings set forth in Section 2 hereof, the Modifications presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Modifications.

4.1. The consultants, counsel, officers and staff of the City and the Agency are authorized and directed to proceed with the implementation of the Modifications and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

4.2. The staff of the City and the Agency are hereby directed to incorporate the Modifications into the Common Plans. The staff of the City and the Agency are hereby authorized and directed to file a copy of the Modifications (together with any necessary or appropriate additional documents or information) with the Department of Revenue of the State of Minnesota.

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 7, 1997. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

(Published March 11, 1997).

Comm Dev – Your Committee recommends that the responsibility for monitoring, enforcing and reporting federal and local wage and hour requirements presently carried by the Minneapolis Community Development Agency (MCDA) be transferred to the Minneapolis Department of Civil Rights. (Petr No 262512)

Your Committee further recommends that this action be referred to the Board of Commissioners of the MCDA.

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends approval of the Council President's reappointment or appointment of the following people to the Minneapolis Arts Commission for two year terms to expire January 31, 1999:

Reappoint Kaari Kenmotsu, 2628 E 22nd St (artist position);

Reappoint Deidre L. Schmidt, 1705 University Av NE (administrative position);

Appoint Noel L. James, 513 Logan Av N (administrative position); and

Appoint Debra J. Stone, 1327 Penn Av N (lay position).

Your Committee further recommends approval of the Council President's appointment of Erik M. Takeshita, 4724 Blaisdell Av S (lay position) for a term to expire January 31, 1998. (Petr No 262514)

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished April 5, 1997).

Comm Dev – Your Committee recommends approval of the Mayor's reappointment of Albert Hofstede to the Board of Directors of the Family Housing Fund of Minneapolis and Saint Paul for a three year term to expire December 31, 1999. (Petr No 262515)

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends passage of the accompanying resolution authorizing the sale and issuance of \$1,470,000 of Tax-exempt

Refunding Revenue Bonds, Series 1997A, and \$85,000 of Taxable Refunding Revenue Bonds, Series 1997B, for Precise Products, Inc, 1201 Plymouth Av N. (Petn No 262512).

Your Committee further recommends summary publication of the above-described resolution.

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-043, entitled "Authorizing the sale and issuance of Industrial Development Refunding Revenue Bonds and Taxable Industrial Development Refunding Revenue Bonds under the Municipal Industrial Development Act and approving and authorizing the execution of documents," was passed March 7, 1997 by the City Council and approved March 13, 1997 by the Mayor. By this resolution, the City authorizes the sale and issuance of \$1,470,000 of Tax-exempt Refunding Revenue Bonds and \$85,000 of Taxable Revenue Refunding bonds on behalf of Precise Products Inc at 1201 Plymouth Av N. The full text of the resolution is available for public inspection in the Office of the City Clerk.

(Republished April 5, 1997).

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-043

By Niland

Authorizing the sale and issuance of Industrial Development Refunding Revenue Bonds and Taxable Industrial Development Refunding Revenue Bonds under the Municipal Industrial Development Act and approving and authorizing the execution of documents.

Whereas, it is proposed that the City of Minneapolis (the "City") issue its Industrial Development Refunding Revenue Bonds (Precise Building Limited Partnership Project), Series 1997A (the "Tax Exempt Bonds"), in a principal amount of \$1,470,000, and its Taxable Industrial Development Refunding Revenue Bonds (Precise Building Limited Partnership Project), Series 1997B (the "Taxable Bonds"), in a principal amount of \$85,000 (collectively the Tax Exempt Bonds and the Taxable Bonds are referred to herein as the "Bonds"), to refund certain outstanding revenue bonds issued by the City under

the Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152-469.165, as amended (the "Act"), entitled Industrial Development Revenue Bonds (Precise Building Limited Partnership), Series 1988 (the "Prior Bonds"), the proceeds of which were loaned to Precise Building Limited Partnership (the "Partnership") and used to finance all or a portion of the cost of a manufacturing facility in the City (the "Project"), which Project is leased by the Partnership to Precise Products Corporation, a Minnesota corporation (the "Corporation"), for operation; and

Whereas, the proposal calls for the City and the Partnership to enter into a Loan Agreement wherein the City will loan the proceeds of the Bonds to the Partnership and the Partnership will agree to use said proceeds to retire the Prior Bonds (which are outstanding in the principal amount of \$1,470,000) and pay all costs of issuance of the Bonds, and will agree to continue to operate and maintain the Project and pay all costs thereof and to repay the loan from the City by loan repayments to be fixed and revised from time to time as necessary so as to produce income and revenues sufficient to provide for the prompt payment of the principal of and interest on the Bonds and all costs and expenses of the City in connection with the Project and the issuance and sale of the Bonds; and

Whereas, copies of the following documents relating to the issuance of the Bonds have been submitted to this Council for approval and are now on file in the executive offices of the Minneapolis Community Development Agency:

(a) a Loan Agreement, dated as of March 1, 1997 (the "Loan Agreement"), proposed to be made and entered into between the City and the Partnership;

(b) an Indenture of Trust, dated as of March 1, 1997 (the "Indenture"), proposed to be made and entered into between the City and Norwest Bank Minnesota, National Association, of Minneapolis, Minnesota, as trustee (the "Trustee");

(c) a Mortgage and Security Agreement, dated as of March 1, 1997 (the "Mortgage"), proposed to be given by the Partnership, as mortgagor, to the Trustee, as mortgagee;

(d) an Assignment of Leases and Rents, dated as of March 1, 1997 (the "Assignment"), proposed to be given by the Partnership in favor of the Trustee;

(e) a Guaranty Agreement, dated as of March 1, 1997 (the "Guaranty"), proposed to be entered into between the Corporation and the Trustee;

(f) a Bond Purchase Agreement (the "Bond Purchase Agreement") relating to the Tax Exempt Bonds and a Bond Placement Agreement (the "Bond Placement Agreement") relating to the Taxable Bonds, each proposed to be entered into between the Partnership, the City, the Corporation and Miller, Johnson & Kuehn, Incorporated (the "Underwriter"); and

(g) a Preliminary Official Statement (the "Preliminary Official Statement") proposed to be used by the Underwriter in the marketing and placing of the Bonds.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis, Minnesota:

1. That it is hereby found, determined and declared that:

(a) The City is authorized under the Act to issue the Bonds;

(b) The refinancing of the Project, the issuance and sale of the Bonds and the execution and delivery of the Loan Agreement, the Indenture, the Bond Purchase Agreement and the Bond Placement Agreement are being undertaken by the City pursuant to the Act;

(c) It is desirable that the Bonds be issued by the City upon the terms set forth in the Indenture, under the provisions of which the City will grant to the Trustee, as security for the payment of principal of, premium, if any, and interest on the Bonds, a security interest in all of the City's right, title and interest in the Loan Agreement, except for certain rights of the City for its fees, its expenses and indemnification;

(d) The loan repayments required of the Partnership under the Loan Agreement are fixed, and required to be revised from time to time as necessary so as to produce income and revenue sufficient to provide for the prompt payment when due of the principal of, premium, if any, and interest on the Bonds, and the Loan Agreement also provides that the Partnership is required to pay all expenses of the operation and maintenance of the Project,

including, but without limitation, adequate insurance thereon and all taxes, if any, and special assessments levied upon or with respect to the Project payable during the term of the Loan Agreement; and

(e) Under the provisions of the Act and as provided in the Indenture, the Bonds are not to be payable from nor charged upon any funds of the City, other than the revenues pledged to the payment thereof; the City is not subject to any liability thereon, no holders of the Bonds shall ever have the right to compel any exercise of the taxing power of the City to pay any of the Bonds or the interest thereon, nor to enforce payment thereof against any property of the City, except the revenues under the Loan Agreement pledged to the payment thereof; the Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City, except the revenues under the Loan Agreement pledged to the payment thereof; each Bond issued under the Indenture shall recite in substance that the Bonds, including interest thereon, unless paid from amounts realized pursuant to the Guaranty or from properties of the Partnership, are payable solely from the revenues and payments received pursuant to the Loan Agreement and pledged to the payment thereof pursuant to the Indenture; and no Bond shall constitute a debt of the City within the meaning of any constitutional, statutory or charter limitation.

2. The forms of the Loan Agreement, the Indenture, the Bond Purchase Agreement and the Bond Placement Agreement referred to above are approved. The Mayor, City Finance Officer and City Clerk are authorized and directed, in the name and on behalf of the City, to execute the Loan Agreement, the Indenture, the Bond Purchase Agreement and the Bond Placement Agreement. The documents shall be executed in substantially the form hereinabove approved, subject to additions thereto and deletions therefrom approved by the officers executing the same, and consistent with the parameters set forth in Section 3 hereof, which approval shall be conclusively presumed upon execution thereof.

3. In anticipation of the collection of revenues under the Loan Agreement, the City shall proceed forthwith to issue its Industrial

Development Refunding Revenue Bonds (Precise Building Limited Partnership Project), Series 1997A, in an aggregate principal amount not to exceed \$1,470,000, and its Taxable Industrial Development Refunding Revenue Bonds (Precise Building Limited Partnership Project), Series 1997B, in an aggregate principal amount not to exceed \$85,000, each series in the form and upon the terms set forth in the Indenture, which terms are for this purpose incorporated in this Resolution and made a part hereof. The Tax Exempt Bonds shall mature on or before October 1, 2018 and shall bear interest at an average coupon rate not exceeding 7.50% per annum; the Taxable Bonds shall mature on or before October 1, 2002 and shall bear interest at an average coupon rate not exceeding 9.00% per annum. In each case, the Tax Exempt Bonds and the Taxable Bonds shall be sold to or placed by the Underwriter at a price not less than 98% of their principal amount. Subject to the foregoing parameters, the Mayor, City Finance Officer and City Clerk are authorized to approve the final terms of the Bonds as incorporated into the Indenture, the Bond Purchase Agreement and the Bond Placement Agreement, such approval to be conclusively evidenced by the execution of said documents by said officers. The Mayor, City Finance Officer and City Clerk are authorized and directed to prepare and execute the Bonds as prescribed in the Indenture and to deliver them to the Trustee for authentication and delivery to The Depository Trust Company, the securities depository for the Bonds, together with a certified copy of this Resolution and other documents required by the Indenture. In case any officer whose signature shall appear on the Bonds shall cease to be such officer before the delivery thereof, such signature shall nevertheless be valid and sufficient for all purposes. The Trustee is hereby appointed authenticating agent with respect to the Bonds pursuant to Minnesota Statutes, Section 475.55, Subdivision 1, and as such paying agent for the Bonds, such appointment as paying agent to be effective upon receipt by the City of written acceptance thereof.

4. The use of the Preliminary Official Statement, and a final Official Statement substantially in the form of the Preliminary Official Statement but with completion of the final terms of the Bonds, by the Underwriter in the marketing and placing of the Bonds is hereby authorized but the City has not participated in the preparation of the Preliminary Official Statement or final Official

Statement and assumes no responsibility for the accuracy or completeness thereof.

5. The City hereby elects to issue the Tax Exempt Bonds in a principal amount in excess of \$1,000,000 as provided by Section 144(a)(4) of the Internal Revenue Code of 1986, as amended.

6. The Mayor, City Finance Officer and City Clerk and other officers of the City are authorized and directed to prepare and furnish to the Trustee when the Bonds are issued, certified copies of all proceedings and records of the City relating to the Bonds and such other affidavits and certificates as may be required to show the facts relating to the legality and marketability of the Bonds as such facts appear from the books and records in the officers' custody and control or as otherwise known to them.

7. The City Finance Officer is hereby designated for all purposes of the Loan Agreement and the Indenture as the City official authorized to execute on behalf of the City certificates, requests or consents as provided in the Loan Agreement and the Indenture.

8. In the absence or disability of the Mayor, City Finance Officer or City Clerk, any of the documents authorized by this Resolution to be executed, including the Bonds, shall be executed by the Acting Mayor, Assistant City Finance Officer or Assistant City Clerk, or by such other officer of the City as, in the opinion of the City Attorney, may execute such documents.

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997. J. Cherryhomes,
President of Council.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration a proposal to issue revenue bonds on behalf of Albert I. Halper Box Company, Inc (Halper) to finance the development of a manufacturing facility at 3552-58 N 2nd St (the project), and the Council having given preliminary approval to issue said bonds on August 9, 1996, now recommends passage of the accompanying resolution giving final approval to the project and authorizing the issuance of up to \$3,000,000 in Tax-Exempt Minneapolis Community Development Agency (MCDA), Limited Tax Supported Development Revenue Bonds, Common Bond Fund, Series 1997, for Halper, to be issued through the Minneapolis Common Bond Fund, and designating the bonds as entitled to the security

provided by Ordinance No 87-Or-084, Tax Reserve and Pledge Ordinance. (Petr No 262512)

Your Committee further recommends, pursuant to MCDA Resolution No 87-171M adopted by the Board of Commissioners of the MCDA on July 16, 1987, that these Common Fund Bonds be designated, if and when issued, as bonds entitled to the Security provided by Ordinance No 87-Or-084.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Niland moved that the report be postponed. Seconded.

Adopted upon a voice vote.

Comm Dev – Your Committee, having under consideration the Metropolitan Council's anticipated Request for Proposals for Livable Communities Demonstration Grant Funding for 1997, now recommends that staff be directed to inventory potential projects and return to Council with up to three competitive projects that meet both Metropolitan Council and local criteria, as set forth in Petr No 262513. It is anticipated that the Council will select one project for further development by staff and submission for funding in mid-1997.

Adopted. Yeas, 13; Nays, none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The COMMUNITY DEVELOPMENT, TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev, T&PW & W&M/Budget – Your Committee, having under consideration the business terms and financing plan for the Ryan/Target Store proposed project to redevelop Block 34, bounded by Nicollet and LaSalle Aves and 9th & 10th Sts, in the South Nicollet Mall Development District, said project to include a mid-price retail store, additional retail shops, an office tower and underground parking garage; and further having under consideration the staff recommendation to:

a. Approve the business terms of the Redevelopment Contract as set forth in Exhibit A of Petition No 262517;

b. Approve the method of financing the public redevelopment costs of the project as set forth in said Petition;

c. Authorize the proper City officers and the Executive Director of the Minneapolis Community Development Agency to execute a Redevelopment Contract and related documents consistent with the approved terms contained in said Exhibit A; and

d. Refer this matter to the Board of Commissioners of the Minneapolis Community Development Agency;

Comm Dev – now forwards without recommendation.

T&PW – now recommends approval of staff recommendation.

W&M/Budget – now recommends approval of staff recommendation.

Campbell moved that the report be amended by deleting the Community Development Committee and Transportation and Public Works Committee recommendations and approving the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 9; Nays, 4 as follows:

Yeas – Scott, Schulstad, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, Cherryhomes.

Nays – Niland, McDonald, Minn, Mead.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Scott moved to discharge the Zoning & Planning Committee from further consideration of the environmental review process for the 1000 Nicollet Mall Project, to be located between 10th and 11th Sts, Nicollet Mall and LaSalle Av. Seconded.

Adopted upon a voice vote.

Scott moved the following recommendations regarding the environmental review process for the 1000 Nicollet Mall Project, a proposal by Dayton Hudson Corporation for a 950,000 square foot office development that includes 20,000 square feet of retail space, to be located between 10th and 11th Sts, Nicollet Mall and LaSalle Av:

a) Finding that the Environmental Assessment Worksheet is adequate, and that development of an Environmental Impact Statement not be ordered; therefore making a negative declaration;

b) Adoption of the "Findings of Fact and Record of Decision" report as contained in Petn No 262557. Seconded.

Adopted. Yeas, 10; Nays, 3 as follows:

Yeas – Scott, Schulstad, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, Cherryhomes.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev, T&PW & W&M/Budget – Your Committee, having under consideration the proposed Municipal Parking Ramp, West Metro Education Program K-12 Magnet School, University of St Thomas School of Education project (the Municipal Parking Ramp/WMEP/UST project) for redevelopment of the southerly half of the block bounded by LaSalle and Hennepin Aves and 9th & 10th Sts (located in the South Nicollet Mall and Greater Hennepin Av Development Districts and the Common Project Tax Increment Financing District), now recommends:

a. Approval of the Redevelopment Contract business terms as set forth in Petition No 262516 for development of the Municipal Parking Ramp/WMEP/UST project;

b. Approval of the method of financing the public redevelopment costs of said project as set forth in said Petition;

c. Authorization of the proper City officers and the Executive Director of the Minneapolis Community Development Agency to execute a Redevelopment Contract and related documents consistent with the approved terms set forth in said Petition; and

d. Referral of this matter to the Minneapolis Community Development Agency Board of Commissioners.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Scott, Schulstad, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Minn, Cherryhomes.

Nays – Mead.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:

IGR – Your Committee recommends approval of the following:

1) Adopt Hennepin County's Principles for Welfare Reform;

2) Direct staff to continue to analyze and monitor the impact of the welfare reform changes on the City and its residents;

3) Support involvement of the City's employment and training programs to address needs of welfare recipients; and

4) Direct staff to work with Human Resources to develop recommendations to address potential work opportunities for welfare recipients within the City's workforce.

Niland moved to divide the report so as to consider "1)" separately. Seconded.

Adopted by unanimous consent.

Cherryhomes moved adoption of the balance of the report. Seconded.

Adopted. Yeas, 11; Nays, 2 as follows:

Yeas – Scott, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Mead, Cherryhomes.

Nays – Schulstad, Minn.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends approval of the following:

1) Adopt Hennepin County's Principles for Welfare Reform.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Scott, Schulstad, Herron, Rainville, Dziedzic, Thurber, Campbell, Biernat, McDonald, Minn, Mead, Cherryhomes.

Nays – Niland.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends that the City endorse proposed legislation, Senate File (SF) #233 and House File (HF) #333, requiring employers of police officers suffering disabling injuries or killed in the line of duty to continue to provide health insurance coverage for the officer (until the age of 65) and his dependents (until they no longer meet the definition of dependent), provided that the officer was receiving dependent coverage at the time of the officer's death under the employer's group health plan, with the

understanding that health insurance benefits from any other source, payable to the officer and the officer's dependents, would provide primary coverage, with coverage under the proposed legislation to be considered secondary.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends that the City endorse increased State funding for local public health agencies, in the amount of \$6,000,000, to address the following new demands on the public health system:

1) Local health departments have an expanded role in working with community organizations to meet public health goals;

2) Additional resources are required to address new health threats/emerging diseases; and

3) New responsibilities must be implemented among diverse sectors of the population, with language and cultural barriers.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends approval to delete from the City's 1997 Legislative Program its opposition to the creation of market value levies, as more fully set forth in Petn No 262526, on file in the Office of the City Clerk, with the understanding that eliminating said opposition would provide the City with more flexibility to oppose, support, or remain neutral, as developments warrant.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends passage of the accompanying Resolution supporting amendments to Minnesota Statutes 1996, Section 471.61, Subdivision 1a, to give local governments, including statutory cities and home rule cities, the right to declare additional classes of persons as dependents for purposes of providing employment benefits.

RESOLUTION 97R-044

By Rainville, Cherryhomes, Dziedzic, Campbell, Thurber, Minn, Biernat, Niland, Scott, Herron, McDonald, Mead and Schulstad

Supporting amendments to Minnesota Statutes 1996, Section 471.61, Subdivision 1a, to give local governments, including statutory cities and home rule cities, the right to declare additional classes of persons as dependents for purposes of providing employment benefits.

Whereas, the City of Minneapolis employs in excess of 4,750 people; and

Whereas, many private sector employers in the Twin Cities metropolitan area provide flexible employment benefits; and

Whereas, it is in the interest of the City of Minneapolis, as an employer, to be competitive in attracting, hiring and retaining the best and the brightest employees; and

Whereas, it should be the right of a City of the first class to determine, for itself, its own best employment practices; and

Whereas, the City of Minneapolis has already approved the flexible extension of benefits to employees' dependents, and was subsequently prohibited by the court's interpretation of the existing language in relevant State Statutes; and

Whereas, bargaining units representing City employees had supported the previous resolutions for flexible extension of benefits to employees;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Minnesota Statutes 1996, Section 471.61, Subdivision 1a, should be amended to give local governments, including statutory cities and home rule cities, the right to declare additional classes of persons as dependents for purposes of providing employment benefits.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 10, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee, having under consideration proposed legislation relating to administrative inspection warrants which would issue based upon probable cause to believe that public health or safety code violations exist, allowing access to premises for inspections, now recommends that the City include said proposed

legislation in its 1997 Legislative Program.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee, having under consideration proposed legislation that would enable the Community University Health Care Center (CUHCC) to serve as an authorized clinic and as a prepaid plan, to provide better coverage for low-income families, now recommends that the City endorse said proposed legislation.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends approval to proceed with proposed legislation relating to the Chamber Building, 15 S 5th St, which would allow the City to restate the value of said building from 1991 to the present, since major deterioration dramatically reduced its market value during that time, and which would provide for adjustments to the tax lien that would enable developers to restore the property and return it to a positive status on current tax rolls.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee, having under consideration House File (HF) #783 which relates to abolishing the Metropolitan Council, the Metropolitan Sports Facilities Commission, the Metropolitan Radio Board and the Metropolitan Mosquito Control District, now recommends that the City go on record in opposition to said proposed legislation.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee recommends passage of the accompanying Resolution joining with Hennepin County in defining direction and identifying responsibilities for Welfare Reform.

RESOLUTION 97R-045

By Rainville

Joining with Hennepin County in defining direction and identifying responsibilities for Welfare Reform.

Whereas, the federal government has passed landmark legislation, PL 104-193, the Personal Responsibility and Work Opportunity Act of 1996, which is a major piece of legislation overhauling welfare in America; and

Whereas, the legislation eliminates Aid to Families with Dependent Children (AFDC) and replaces it with Temporary Assistance for Needy Families (TANF), changes the Food Stamp Program, restricts the definition of “disabled” for children receiving Supplemental Security Income (SSI) and makes several changes in benefits available to non-citizens, drug and alcohol addicted persons and drug felons; and

Whereas, the legislation has strict work requirements which must be achieved by the State and counties to avoid monetary sanctions; and

Whereas, the legislation grants states the authority to develop a State Plan which assists participants in the transition from welfare to work; and

Whereas, based on the requirements and provisions included in the State Plan, Hennepin County and the City of Minneapolis (working cooperatively) will develop an employment and training system to assist welfare recipients in meeting the goal of self-sufficiency; and

Whereas, over 85% of the people who will be affected by these changes in Hennepin County reside within the Cities of Minneapolis, Brooklyn Park, Brooklyn Center, Bloomington and Mound; and

Whereas, Hennepin County and City of Minneapolis elected officials have adopted the Hennepin County Welfare Reform Principles which provide a framework and direction for County and City staff; and

Whereas, a key element of any successful welfare reform is the active participation of the private sector business community and adequate funding for transit, child care and job placement assistance;

Now, Therefore Be It Resolved by the City Council of the City of Minneapolis:

That the Hennepin County Board of Commissioners, the Minneapolis City Council and the Mayor of Minneapolis agree to cooperatively

develop a welfare-to-work plan that provides the greatest opportunity for individuals to obtain employment which will contribute to their self-sufficiency.

Be It Further Resolved that Hennepin County and City of Minneapolis staff be directed to develop strategies for involving the metropolitan business community in identifying job opportunities, training programs and work experience for TANF recipients.

Be It Further Resolved that Hennepin County and City of Minneapolis staff shall create a working committee with representatives from private sector human resource departments to begin identifying training/job opportunities for public assistance recipients.

Be It Further Resolved that the Policy Committee created by the Hennepin County Board and including Hennepin County Commissioners be expanded to include one elected official from the Cities of Minneapolis, Brooklyn Park, Brooklyn Center, Bloomington and Mound and two members from the business sector. The purpose of this expanded Policy Oversight Committee will be to guide the development and implementation of the TANF and to ensure that adequate resources are available for child care, transit, employment opportunities and business incentives.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

IGR – Your Committee, having under consideration proposed legislation relating to internal auditing data, now recommends that the City initiate said proposed legislation which would amend existing Statute language (currently providing for data confidentiality for state agencies only) to also include certain internal audit data for “political subdivisions,” as more fully set forth in Petn No 262523, on file in the Office of the City Clerk.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, to whom was referred an Ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to **Liquor and Beer: Wine Licenses**, permitting issuance of On-Sale Wine, with Beer, Licenses to restaurants formerly not eligible (due to the 7-acre commercial zoning requirement of the Minneapolis Charter), and having held a public hearing thereon, pursuant to Charter Amendment #144, now recommends that said Ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described Ordinance.

Minn moved to amend the report to add a paragraph, “j”, to read as follows:

“(j) This Section 363.42 shall not apply to establishments in the Linden Hills neighborhood until adoption of the Linden Hills Zoning Code Overlay. The Linden Hills neighborhood is defined as the area bounded by 36th Street and Lake Calhoun Parkway to the north, William Berry Parkway and Lake Harriet to the east, 47th Street and Fulton neighborhood to the south, and France Avenue and the cities of Edina and St. Louis Park to the west.” Seconded.

Adopted upon a voice vote.

Scott, at her request, recorded as declining to vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Declining to Vote – Scott.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 97-Or-022 amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to **Liquor and Beer: Wine Licenses**, adopting a new Section 363.42, permitting issuance of On-Sale Wine, with Beer, Licenses to restaurants formerly not eligible due to 7-acre zoning requirement of the Minneapolis Charter; establishing definitions of a qualifying restaurant, qualifying meals and bar areas; establishing guidelines for mandatory food service and minimum food to beverage alcohol sales ratio; establishing off-street customer parking requirements and hours of operation; requiring posting of license and outdoor seating plan, and clarifying that Section 353.42 shall not apply to the Linden Hills neighborhood until adoption of the Linden Hills Zoning Code Overlay, was passed

March 7, 1997, by the City Council and approved March 13, 1997, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 97-Or-022

By Minn

Intro & 1st Reading: 2/21/97

Ref to: PS&RS

2nd Reading: 3/7/97

Amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Wine Licenses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 363.42 to read as follows:

363.42. Wine license issued pursuant to Charter Amendment Number 144. Restaurants located in certain zoning districts may obtain an on-sale wine license notwithstanding the seven (7) acre commercial zoning requirement of Chapter 4, Section 5 of the Minneapolis Charter, subject to the following provisions:

(a) Definitions. As used in this section, unless some other meaning is clearly required by the context, the following words and phrases shall mean:

Restaurant: An establishment, under the control of a single proprietor or manager, having appropriate facilities for the preparation and serving of a variety of at least four complete meals, having not fewer than twenty-five (25) seats at tables and the application is for a Class E or Class D wine license, and where, in consideration of payment therefore, meals are regularly served at tables to the general public, and which employs an adequate staff to provide the usual and suitable service to its guests, and which has gross sales revenue during each fiscal year from the sale of food and beverages not containing alcohol in an amount of not less than seventy (70) per cent of its total gross revenue from the sale of food and beverages.

Bar or bar area: Structures, furniture other than free standing tables and booths, or waiting

areas, where consumption of alcoholic beverages is the primary activity.

Meal: A variety and combination of food items which may contain entrees, sandwiches, combination salads, pizza, soup, breads, vegetables or fruits, contained in a menu as approved by the director.

(b) Wine, intoxicating malt liquor, or 3.2 per cent malt liquor may only be served to patrons seated for regular dining that have ordered or have been served a meal.

(c) Off street parking required. Each holder of an on sale wine license issued under this section shall provide off street parking facilities within 300 feet of the main entrance of the licensed premises as required by the applicable zoning ordinance, except that parking spaces equal in number to 33.3 % of the capacity of persons shall be provided. Parking shall be required for all customer seating including outdoor seating.

(d) Establishments licensed under this section may not have a bar or bar area. Counter areas existing as of the effective date of this ordinance equipped for the service of food and drink to patrons in full view of and conducted as part of the service of the dining room, shall not be considered a bar or bar area.

(e) Hours of operation: Establishments licensed under this section shall not exceed the lawful hours of operation established in chapter 363.40 (a) of this code. The City Council may require establishments licensed under this section to further reduce their hours of operation upon consideration of, but not limited to, one or more of the following factors:

(1) Proximity to permitted or conditional residential uses.

(2) Nature of the business and its impact of noise, light, and traffic.

(3) Conformance with applicable zoning regulations, including but not limited to use, yards, gross floor area, and specific development standards.

(4) History of complaints related to the use.

(f) Full menu service shall remain available during all of the establishments hours of operation.

(g) Percentage of food sold.

(1) Establishments licensed under this section shall provide an accounting of the actual percentage of gross receipts attributable to the sale of food and non-alcoholic beverages during the immediately preceding calendar year. This requirement shall be established by an affidavit of

the licensee on a form provided by the Director. Such affidavit shall be submitted with each application for issuance of renewal of the license, or at other times as the Director may request. Such statements shall be subject to verification by the City and the license applicant shall make such records available as may be necessary to verify such statements. The applicant shall upon request furnish the City certified copies of any state sales tax returns covering the sale of food and beverages. The Director, at any time and from time to time, may require that such accounting be verified and confirmed by an independent and licensed Certified Public Accountant who is a member of the Minnesota Society of Certified Public Accountants. Failure or refusal of a licensee to provide such accountings upon request, or any false statements in any such accounting, shall be grounds for denial, suspension or revocation of all licenses held by such licensee for the on-sale of wine.

(2) In the event the city disputes the license applicant's statements, the matter shall be submitted to a neutral certified public accountant agreed upon by the city and the applicant. The certified public accountant shall make a determination based on accepted accounting principles, which shall be binding on both parties. The license applicant shall make any records available to such person as may be necessary to verify the statements. The entire cost of such audit and determination shall be paid by the applicant. Prior to such audit, the applicant shall post a bond or cash in an amount which the city believes reasonably necessary to pay the cost of the audit.

(h) Posting of license and outdoor seating plan. Each licensee under this section shall conspicuously post the license certificate which shall list the authorized number of both indoor and outdoor seats. The licensee shall also post the approved outdoor seating plan immediately adjacent to the license certificate.

(i) All other provisions of this Title 14 shall apply unless by their nature are not applicable.

(j) This Section 363.42 shall not apply to establishments in the Linden Hills neighborhood, until adoption of the Linden Hills Zoning Code Overlay. The Linden Hills neighborhood is defined as the area bounded by 36th Street and Lake Calhoun Parkway to the north, William Berry Parkway and Lake Harriet to the east, 47th Street and Fulton neighborhood to the south, and France Avenue and the cities of Edina and St. Louis Park to the west.

Adopted. Yeas, 12; Nays none

Declining to vote - Scott.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Building Contractor Class A License held by William B. Woods, dba Hetherwood Construction, 3525 Hennepin Av, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, now recommends adoption of the TAC recommendations, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Declining to Vote – Cherryhomes.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 1998

University Inn Associates, Ltd, dba Radisson Hotel Metrodome, 615 Washington Av SE, new shareholder/partner;

Michael A. Yacoub, dba Fowl Play, 1301 SE 4th St, new ownership from Dinkytown Management;

University Inn Associates, Ltd, dba Radisson University Hotel, 615 Washington Av SE;

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1997

International Catering, Inc, dba Atrium Cafe/ Atrium Catering International, 275 Market St, temporary expansion of premises, Gustavus Adolphus, 3/8/97, 6:15PM-1AM;

International Catering, Inc, dba Atrium Cafe/ Atrium Catering International, 275 Market St, temporary expansion of premises, Children's Health Care, 3/15/97, 6-10:30PM;

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 1998

Fourth Street Saloon, Inc, dba Fourth Street Saloon, 326-28 W Broadway;

TKK, Inc, dba Knight Cap, 1500 NE 4th St;
Hexagon Bar, Inc, 2600 27th Av S, 1st floor;

**On-Sale Liquor Class E with Sunday Sales,
to expire April 1, 1998**

Fransen, Inc, dba Gluek Brewing Company,
16 N 6th St;

Brinda Investments, Inc, dba Tugg's on the
River, 219 Main St SE;

Green Mill Enterprises, Inc, dba Green Mill
Too, 2626 Hennepin Av;

Apple American, Ltd Partnership of Minnesota,
dba Applebee's Neighborhood Grill & Bar, 3200 W
Lake St;

**On-Sale Liquor Class E with Sunday Sales,
to expire July 1, 1997**

Seagull Restaurant, Inc, dba Seagull
Restaurant, 200 S 6th St, new manager;
Temporary On-Sale Liquor, to expire October 1,
1997

Minnesota North Star Chapter, dba National
Multiple Sclerosis Society, 2344 Nicollet Av,
#280, Main Atrium, International Market Square,
with temporary entertainment, 3/19/97, 6PM-
9PM;

**On-Sale Wine Class A with Strong Beer, to
expire April 1, 1998**

Downtown Management, Inc, dba Jitters
Coffee Cafe, 1026 Nicollet Mall;

**On-Sale Wine Class E with Strong Beer, to
expire April 1, 1998**

Cafe Brenda Company, dba Cafe Brenda, 300
1st Av N;

Thon & Khanh Thavongsinh, dba Siam Cafe,
331 E Lake St;

It's Greek to Me, Inc, 624-26 W Lake St;
Rooftop, Inc, A Minnesota Corporation, dba 700
Express Restaurant, 700 Nicollet Mall;

Lucia Watson Enterprises, Inc, dba Lucia's
Restaurant, 1432 W 31st St;

Szechuan Garden, Inc, dba Far East
Restaurant, 5033 France Av S; and

Temporary On-Sale Beer

Church of the Ascension, 1723 Bryant Av N,
St. Patrick's Dinner & Celebration, 3/15/97, 5:30-
9PM.

Biernat moved to divide the report to consider
separately the application of Michael A. Yacoub,
dba Fowl Play, 1301 SE 4th St. Seconded.

Adopted by unanimous consent.

Biernat moved adoption of the balance of the
report. Seconded.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under
consideration the application of Michael A.
Yacoub, dba Fowl Play, 1301 SE 4th St, for an On-
Sale Liquor Class A with Sunday Sales License, to
expire January 1, 1998, and a change of ownership
from Dinkytown Management, now recommends
that said license and change of ownership be
granted, subject to final inspection and compliance
with all provisions of applicable codes and
ordinances.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 7, 1997. J. Cherryhomes,
Acting Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends
granting the following applications for business
licenses as per list on file and of record in the Office
of the City Clerk under date of March 7, 1997,
subject to final inspection and compliance with all
provisions of the applicable codes and ordinances
(Petr No 262532):

Place of Amusement Class B-2; Building
Contractor Class A; Building Contractor Class B;
Cement Finisher; Dry-Wall Contractor; Special
Late Night Entertainment; Fire Extinguisher Class
B; Caterers; Confectionery; Food Distributor;
Grocery; Food Cart, Indoor; Food Manufacturer;
Restaurant; Restaurant-Drive-In; Seasonal Short
Term Food Establishment; Sidewalk Cafe Permit;
Vending Machines; Gas Fitter Class A; Gasoline
Filling Station; Hotel; Lodging House; Lodging
with Boarding House; Motor Vehicle Repair
Garage; Motor Vehicle Servicing Class B
(Towing); Commercial Parking Lot Class A;
Pawnbroker Class A; Plumber; Second-Hand
Goods Dealer; Sign Hanger; Taxicab Vehicle;
Taxicab Vehicle NT; Tobacco Dealers; Tradesman-
Combination; Tree Servicing; and Wrecker of
Buildings Class A.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends
granting the following applications for gambling

licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class B

Church of the Incarnation, 3817 Pleasant Av, site: Pizza Pie & I, 4205 E 35th St;

George Glover Neighborhood Gym, site: Spring St Bar & Grill, 355 Monroe St NE;

Gambling Lawful Exempt

Minnesota Twins Community Fund, 34 Puckett Place, raffle 9/7/97;

Adoption Option, P. O. Box 16117, raffle, 2709 Drew Av S, 4/15/97;

Share Our Strength, 1511 K Street NW, #940, Washington DC, 20005, raffle at International Market Square, 275 Market St, 4/4/97;

St. Clement Church, 911 24th Av NE, bingo, raffle, pulltabs, 5/18/97;

St. Clement Church, 911 24th Av NE, bingo, 11/16/97;

St. Clement Church, 911 24th Av NE, bingo, 3/23/97; and

Wenonah PTA, 5625 23rd Av S, raffle, 4/25/97.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehab of said properties is not feasible, and having received Findings of Fact, Conclusions and Recommendations arising from a Public Safety & Regulatory Services Committee hearing thereon, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference, now recommends that the proper City officers be authorized to raze the following properties:

a) 2502 12th Av S, Lot 2, Block 1, Elliot's Rearrangement, Brackett & Bovey's Addition;

b) 3404 41st St E, Lot 13, Block 2, Elmhurst Addition; and

c) 3413 Park Av, Lot 21, Block 2, Chicago Av Addition.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to submit a response to a Request for Proposals (RFPs) for the City to provide emergency fire extinguishing services to the Bishop Henry Whipple Federal Building at Fort Snelling, the Motor Pool Building and the Fort Snelling parking lot, for a 3-year period from June 1, 1997 through May 31, 2000, with the inclusion of two additional 3-year options.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of 328 Corporation, dba Chessen's Bar & Deli, 328 S 3rd St, new business, for an On-Sale Liquor Class E with Sunday Sales License, to expire April 1, 1997, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 7, 1997. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an agreement with Baker Investments Limited, to provide 23 reserved parking spots in the Skyway Ramp, 413 Nicollet Av, for the period from April 1, 1997 through March 31, 1998, at a rate of \$100 per month, per space, for a monthly total of \$2,300 and a yearly total of \$27,600, payable from General Fund – Police Department Agency – Downtown Command Administration (010-400-DT01).

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 7, 1997. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee, having received a petition from Randi Johnson and David Schlagel,

904 E River Terrace, and other residents of the East River Road Neighborhood for the establishment of a Critical Parking Area on East River Terrace, Seymour Av SE, Thornton St SE and Cecil St SE, and the City Clerk having verified that said petition represents more than 75 percent of the residents of the affected properties meeting the requirements for a Critical Parking Area, and having held a public hearing thereon, now recommends passage of the accompanying ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to **Traffic Code: Parking, Stopping and Standing**, establishing Critical Parking Area #14, No Parking 8AM-3AM, Except by Permit, and an ordinance repealing various obsolete zones contained within the Critical Parking Area.

ORDINANCE 97-Or-023
By Dziedzic
1st & 2nd Readings: 3/7/97

Amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 478.590 of the above-entitled ordinance be amended by adding thereto the following No Parking Zones:

No. 6602 – Wly, Sly, SWly side of E River Terrace betw the limits of Franklin Av SE & Cecil St SE (No Parking, 8AM-3AM, Except by Permit);

No. 6603 – Both sides of Seymour Av SE betw the limits of E River Terrace & E River Rd (No Parking, 8AM-3AM, Except by Permit);

No. 6604 – NWly side of Cecil St SE beg at E River Rd & th extending Nly to the dead end Nly of E River Terrace (No Parking, 8AM-3AM, Except by Permit);

Section 2. That Section 478.590 of the above-entitled ordinance be amended to change the following No Parking Zones to read:

No. 3055 – Ely, Nly & NEly side of E River Terrace from Franklin Av SE to CECIL ST SE (No Parking, Midnight to 6AM, April 1 to November 1).

No. 5080 – SELY side of Cecil St SE betw the limits of E River Rd & the dead end Sly of I94 (No Parking, Midnight to 6AM, April 1 to November 1).

Section 3. That Section 478.730 of the above-entitled ordinance be amended by adding thereto the following Loading Zone:

No. 3337 – Ely side of Thornton St SE betw the limits of Franklin Av SE & E River Rd (Loading Zone, 2 Hour Limit, 8AM-4PM, Mon-Fri, Except by Permit).

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-024
By Dziedzic
1st & 2nd Readings: 3/7/97

Repealing a portion of Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to Traffic Code: Parking, Stopping and Standing.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following No Parking Zones contained in Section 478.590 of the above-entitled ordinance be repealed:

No. 5078 – SWly side of E River Terrace beg at the Wly end of its east-west section & th extending SEly to Seymour Pl (No Parking, Midnight to 6AM, April 1 to November 1);

No. 5077 – Both sides of E River Terrace betw the limits of Cecil St & Seymour Av (No Parking, Midnight to 6AM, April 1 to November 1);

No. 5079 – Both sides of Seymour Pl betw the limits of E River Terrace & E River Rd (No Parking, Midnight to 6AM, April 1 to November 1).

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a recommendation from the Minneapolis Downtown Council regarding appointments to the Downtown Skyway Advisory Committee, now recommends approval of the following replacements, for terms to expire December 31, 1997:

a. that Brent Erickson, representing United Properties, be authorized to fill the unexpired term of Diane Sacshe;

b. that Robert Best, representing Institutional Realty Management, be authorized to fill the unexpired term of Daniel O'Neill, representing LaSalle Partners;

c. that David Laskey, representing Dayton's, be authorized to fill the unexpired term of Doug Nelson.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution concurring with Hennepin County's designation of Trunk Highway 122 (Washington Av) from I-35W Ely along Washington Av to County State Aid Highway 36 (University Av), all in the City of Minneapolis, and there terminating, as County State Aid Highway 122.

RESOLUTION 97R-046
By Dziedzic

Designating certain County and Trunk Highway routes within the City of Minneapolis.

Resolved By The City Council of The City of Minneapolis:

That the City Council of the City of Minneapolis concurs with Hennepin County's designation of Trunk Highway 122 (Washington Av) from I-35W Ely along Washington Av to County State Aid Highway 36 (University Av), all in the City of Minneapolis, and there terminating, as County State Aid Highway 122.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the construction of the 4th Avenue

South Bridge Project, now recommends that the proper City Officers be authorized to execute all necessary documents to accept the following described easements from Honeywell Corporation, which are being granted at no cost to the City, as shown on the maps attached to Petn No 262536 on file in the Office of the City Clerk:

a. a permanent Street Easement at the SW corner of W 28th St and 4th Av S;

b. a permanent Slope and Utility Easement for a storm drain and bridge embankment along the W side of 4th Av S, south of W 29th St;

c. a temporary Construction Easement along the E and W side of 4th Av S, north of W 29th St, for staging of equipment and storage of construction materials.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the locations and streets to be improved in the 1997 Residential Paving Program, Special Improvement of Existing Street Nos 2820, 2858 and 2874.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-047, designating the improvement of certain existing streets for the 1997 Residential Paving Program, Special Improvement of Existing Street Nos 2820 (Nicollet Island), 2858 (Whittier NE) and 2874 (Elliot Park), was passed March 7, 1997, by the City Council and approved March 13, 1997, by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-047

By Dziedzic

**1997 RESIDENTIAL PAVING PROGRAM
SPECIAL IMPROVEMENT OF
EXISTING STREET NOS
2820 (NICOLLET ISLAND),
2858 (WHITTIER NE) AND
2874 (ELLIOT PARK)**

**Designating the improvement of certain
existing streets at the paving locations described
hereinafter.**

Resolved by The City Council of The City of
Minneapolis:

That the following existing streets within the
City of Minneapolis are hereby designated to be
improved, pursuant to the provisions of Chapter
10, Section 8 of the Minneapolis City Charter, by
street paving with plant mix asphalt with concrete
curb and gutter all on a stabilized base and
including other street paving related improvements
as needed:

Nicollet Island (2820)

Island Av W and E from Eastman Av to De La
Salle Dr;

Nicollet St from approx 180 ft Sly of Maple Pl
to Maple Pl;

Eastman Av from Island Av W to dead-end
Ely of Island Av W;

Grove St from Island Av W to approx 250 ft
Ely of Island Ave W and from approx 200 ft Wly
of Island Av E to Island Av E;

Maple Pl from Island Av W to Island Av E;

Whittier NE (2858)

Stevens Av S from Franklin Av E to 26th
St E;

2nd Av S from Franklin Av E to 22nd St E;

Clinton Av S from Franklin Av E to 24th
St E;

22nd St E from Nicollet to 4th Avs S;

24th St E from 3rd to 4th Avs S;

25th St E from Nicollet to Stevens Avs S

Elliot Park (2874)

Elliot Av S from 15th to 17th Sts E;

12th and 13th Avs S from 8th to 9th Sts S;

9th St S from 12th to 13th Avs S;

15th St E from Chicago to 10th Avs S and
from 11th to 12th Avs S.

Adopted. Yeas, 12; Nays none.

Absent - Rainville.

Passed March 7, 1997. J. Cherryhomes,
President of Council.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends
passage of the accompanying Resolution
establishing uniform assessment rates for
residential paving improvements for the 1997
calendar year.

Your Committee further recommends summary
publication of the above-described Resolution.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-048, establishing uniform
assessment rates for residential paving
improvements for the 1997 calendar year, was
passed March 7, 1997, by the City Council and
approved March 13, 1997, by the Mayor. A
complete copy of this resolution is available for
public inspection in the office of the City Clerk.

The following is the complete text of the
unpublished summarized resolution.

RESOLUTION 97R-048

By Dziedzic

**Establishing uniform assessment rates for
residential paving improvements for the 1997
calendar year.**

Whereas, the City Council adopted a policy on
October 31, 1980 establishing yearly uniform
assessment rates for similar improvements at
various locations;

Now, Therefore, Be It Resolved by The City
Council of The City of Minneapolis:

That the following rates are hereby established
as the 1997 residential uniform assessment rates
and are to be applied in determining the
assessments for the benefited parcels for certain
types of work ordered by the City Council in the
1997 calendar year:

Residential Paving (street paving, curb and
gutter and other street paving related
improvements)- \$0.35/sq ft applied to the land area

of benefited parcels located within the street influence zone along the improved street.

Curb and Gutter Credit - a reduction is to be applied to the parcels directly abutting an improved street which have had a curb and gutter assessment in conjunction with the Curb and Gutter Replacement Program. If the existing curb and gutter remains, a credit of \$9.40/front ft is to be applied. If the existing curb and gutter is removed, a credit shall be applied equal to the original assessment, less 4% for each year the curb and gutter is in place, less the first two years.

Adopted. Yeas, 12; Nays none.

Absent - Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a cost estimate of \$3,020,000 for residential paving improvements and a list of benefited properties for the 1997 Residential Paving Program, Special Improvement of Existing Street Nos 2820 (Nicollet Island), 2858 (Whittier NE) and 2874 (Elliot Park), as designated by Resolution 97R-047 passed March 7, 1997, now recommends that the City Engineer be directed to prepare a proposed 1997 Residential Paving Special Improvement Assessment against the list of benefited properties by applying the 1997 Residential Uniform Assessment Rates as per Resolution 97R-048 passed March 7, 1997.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on April 3, 1997, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated paving program and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to execute a Professional Services Agreement with STS Consultants, Ltd., in an amount not to exceed \$93,796.25, to perform the final phase for soil drilling test borings and geotechnical engineering services for the design and construction of a New 40 Million Gallon Finished Water Reservoir at the Hilltop Reservoir site, payable from PW – Water – Capital (410-950-9515), Project 950B-4247 Bond Funds.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 7, 1997. J. Cherryhomes, Acting Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends acceptance of the low bid meeting specifications received on OP #4537 (Petn No 262538) submitted by Duncan Industries, in the amount of \$41,790, for furnishing and delivering parking meter adaptors to Public Works Transportation, 300 Border Av N, all in accordance with City specifications.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends that report passed December 27, 1996 relating to acquiring the Olsen-Minneapolis Property located at 140 N 12th St for inclusion in Primary Service Node #1 of the Public Works Facilities Plan be amended by increasing the purchase price by \$30,000, from \$500,000 to \$530,000, to include the real estate property, an outdoor advertising sign lease and relocation costs. Funding for said land purchase has been included as part of the 1997 Equipment Finance Plan.

Your Committee further recommends that the proper City Officers be authorized to draft and execute the necessary documents.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, to whom was referred back on February 21, 1997 a report relating to the 1997 increase in fees for paid traffic zones, now recommends:

T&PW – that the existing City Ordinance, including the 1996 increase in the fee structure, be retained.

W&M/Budget – that the fee structure for paid zones and valet zones be amended as follows:

a. Installation of No Parking Zones or Loading Zones outside of parking meter areas or outside of meter enforcement hours (i.e. Loading Zones, Commercial Truck Loading Zones, Emergency Vehicle Zones, Passenger Loading Zones, No Parking Clearance Zones, etc):

Fee adopted 7/12/96: — Under 60 ft \$300 – first year; Over 60 ft \$400 – first year (additional sign); 1/2 new first year fee – following annual fee.

Proposed fee: — Under 60 ft \$300 – first year; Over 60 ft \$400 – first year (additional sign);

2nd and subsequent years; Under 60 ft \$100 per year; Over 60 ft \$150 per year.

b. Installation of Valet Loading Zones outside of parking meter areas or meter times of enforcement:

Fee adopted 7/12/96: — \$1,200 per meter or 22 ft space – first year & annual;

Proposed fee:

Type A: All Neighborhood Valet Loading Zones; \$150 per meter or 22 ft space – 1st year & annual;

Type B: All Downtown Valet Loading Zones with valet service less than 200 valeted vehicles per day:

Initial and subsequent years – \$600 per stall per year;

Type C: All Downtown Valet Loading Zones with valet service more than 200 valeted vehicles per day:

Initial and subsequent years – \$1,200 per stall per year.

Schulstad moved to substitute the following report for the above report. Seconded.

Adopted upon a voice vote.

T&PW & W&M/Budget – Your Committee, to whom was referred back on February 21, 1997 a report relating to the 1997 increase in fees for paid traffic zones, now recommends that the fee structure for paid zones and valet zones be amended as follows:

a. Installation of No Parking Zones or Loading Zones outside of parking meter areas or outside of meter enforcement hours (i.e. Loading Zones,

Commercial Truck Loading Zones, Emergency Vehicle Zones, Passenger Loading Zones, No Parking Clearance Zones, etc):

Fee adopted 7/12/96: — Under 60 ft \$300 – first year; Over 60 ft \$400 – first year (additional sign); 1/2 new first year fee – following annual fee.

Proposed fee: — Under 60 ft \$300 – first year; Over 60 ft \$400 – first year (additional sign);

2nd and subsequent years; Under 60 ft \$100 per year (if only one sign \$50/yr); Over 60 ft \$150 per year.

b. Installation of Valet Loading Zones outside of parking meter areas or meter times of enforcement:

Fee adopted 7/12/96: — \$1,200 per meter or 22 ft space – first year & annual;

Proposed fee:

Type A: All Neighborhood Valet Loading Zones; \$150 per 22 ft space – 1st year & annual;

Type B: All Parking Meter Area Valet Loading Zones with valet service less than 200 valeted vehicles per day:

Initial and subsequent years – \$600 per stall per year

Type C: All Parking Meter Area Valet Loading Zones with valet service more than 200 valeted vehicles per day:

Initial and subsequent years – \$1,200 per stall per year.

Your Committee recommends that any overage of fees billed and/or paid by fee zone holders in 1997 will be credited to the 1998 zone billing process. Further, any paid zone removed in 1997 due to lack of payment will only be reinstalled at the new installation rate.

The report, as substituted, was adopted.

Yeas, 11; Nays none.

Absent – Biernat, McDonald.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends acceptance of the low bid received on OP #4527 (Petr No 262538) submitted by Shaw Lundquist Associates, Inc., in the amount of \$360,075, for furnishing all labor, materials, equipment and incidentals necessary to accomplish construction of the Fire Training Facility Phase II, Fire Simulator Project, including Bid Alternates 4, 6 & 7, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said project, all in accordance with specifications prepared by Luken Architecture.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration construction of the Fire Training Facility, and having received a request by the Fire Department to accept three of the alternate bid items which will require additional funding, now recommends that the proper City Officers be granted permission to expend \$25,000 from the Fire Station Relocation Fund balance (410-943-9464) to pay for construction of the following bid alternates, submitted under OP #4527 as part of the Fire Training Simulator Project:

- a. Alternate No 4, Rustication pattern on building exterior;
- b. Alternate No 6, Window panel, fire resistive gasket and ss strip;
- c. Alternate No 7, 1/4" SS Window panels and framing system.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS, WAYS & MEANS/BUDGET** and **ZONING & PLANNING** Committees submitted the following report:

T&PW, W&M/Budget & Z&P – Your Committee recommends passage of the accompanying Resolution providing City Staff to assist the Hennepin Lyn/Lake Street Task Force in developing an Area Wide Parking Management Plan for the Uptown area.

RESOLUTION 97R-049

By McDonald

Providing technical assistance to the Hennepin-Lyndale-Lake Street Task Force to develop an Area Wide Parking Management Plan for the Uptown area.

Whereas, the Hennepin-Lyndale-Lake Street Task Force (HLLSTF) has been meeting since May 1996; and

Whereas, the Task Force includes liaison members from all neighborhood areas affected (East Calhoun Community Organization (ECCO), Calhoun Area Resident Action Group (CARAG), Lowry Hills East Neighborhood Association (LHENA), East Isles Residents Association (EIRA); and

Whereas, the Task Force wants to develop an Area Parking Management Plan for the area bounded by Lyndale on the east, West 32nd Street on the south, Knox Avenue South on the west, and West 28th Street on the north; and

Whereas, development of a Parking Management Plan must include cooperation from the neighborhoods, business associations and property owners in the affected area; and

Whereas, development of a Parking Management Plan will require help and expertise from City of Minneapolis technical staff; and

Whereas, City staff and time commitments have been secured for a six to nine month period, beginning as soon as possible, from the following departments:

Planning	100 hours
Public Works	100 hours
Zoning	40 hours
MCDA	40 hours
<u>City Attorney</u>	<u>20 hours</u>
Total	300 hours

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it recognizes the task to be completed and approves the above allocation of staff time to this endeavor.

Be It Further Resolved that when a proposed plan is developed, it will be reported to the various stakeholder groups and individuals for review and approval, as well as being shared with the City Planning Commission and the City Council's Transportation & Public Works and Zoning & Planning Committees. Ordinance amendments, if necessary, will be formulated and considered.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget – Your Committee, having under consideration the request of New Village Cooperative for leasehold status for an addition to their current cooperative and, having held a public hearing thereon, now recommends approval of homestead classification for said property located at 2733 Portland Av S (an addition of seven units), pursuant to findings on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the claim filed against the City by Kathleen M. Rosene be settled by payment of \$5,000 to Ms. Rosene and her attorney, Mark L. Seeger, payable from the Self-Insurance Fund (690-150).

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget - Your Committee recommends that the workers' compensation claims of Richard R. Larson against the City be settled in an amount not to exceed \$91,594.70 in accordance with the terms and conditions set forth by the City Attorney in Petn No 262543, with said funds to be payable from the Self-Insurance Fund (690-145-1451-2800).

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having received the recommendation of the Director of Public Works and the Finance Officer regarding the Water Works Capital Improvement Program for 1997, now recommends:

a) Approval of requested additions to the 1997 Water Works Capital Program (as contained in Petn No 262549), totaling \$7,927,000, to be

financed from available cash balances in the Water Fund;

b) Authorization to expend Water Fund cash balances in the amount of \$1,625,000 for projects that were previously authorized to be financed by bonding and to delete \$500,000 for the Fridley Filtration Plant Coagulation Basins #5 and #6 project; and

c) Passage of the accompanying resolution providing for related appropriation adjustments.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-050

By Campbell

Amending The 1997 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Water-Capital Agency in the Water Revenue Fund by \$9,552,000, as follows:

a) \$647,000 (740-950-9505-Object 5090);

b) \$7,930,000 (740-950-9515-Object 5090);

and

c) \$975,000 (750-950-9535-Object 5090).

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends concurrence with the Executive Committee in their recommendation to appoint/reappoint the following individuals to the Police and Fire Relief Association Boards, all for terms to expire December 31, 1998:

Mpls Police Relief Association Board — Monica Hennessy (reappointment); Scott Renne.

Fire Dept Relief Association Board — David Foster (reappointment); Lori Economy-Scholler.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a third amendment to City Contract #8683 with American Management Systems, increasing the contract by \$32,900 to provide an additional 235 hours of professional services including execution of the FISCOL annual close, software maintenance and general on-site support. The contract increase is payable from the Finance Department appropriation in the General Fund.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval of the Minneapolis Association of Fire Chiefs Labor Agreement, as set forth in Petn No 262546 which summarizes the major proposed terms of said agreement; and that the proper City officers be authorized to execute a 42-month contract (six months by Letter of Agreement), effective April 16, 1995 through October 14, 1998.

Your Committee further recommends passage of the accompanying amendment to the **Salary Ordinance** providing for the implementation of the salary adjustments called for in said agreement.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-025

By Campbell

1st & 2nd Readings: 3/7/97

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective April 16, 1995:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of April 16, 1995, October 15, 1995, October 15, 1996, October 15, 1997, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the bi-weekly salary rates unless stated otherwise.

MINNEAPOLIS FIRE CHIEFS ASSOCIATION (MFCA)

Effective April 16, 1995

FLSA	OTC	CODE	CLASSIFICATION	1st P STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP
E	3	234	Asst. Fire Marshall	B \$1,959	1,993	2,027	2,060	2,093	2,129
E	3	236	Asst. Training Officer						
E	3	240	Engineering Officer						
E	3	228	District Fire Chief	B 2,129	2,165	2,200	2,235	2,272	

E	3	237	Supervisor, Fire Investigations				
E	3	227	Deputy Fire Chief	B	2,368	2,415	2,458 2,503
E	1	233	Director, Fire College				
E	1	235	Fire Marshall				

LONGEVITY: At the beginning of the eighth (8th) year of fire service, a twelve dollar (\$12.00) bi-weekly longevity payment shall be paid to each employee.

An additional five dollars (\$5.00) bi-weekly increase for each year of fire service above eight (8) years, commencing with the ninth (9th) year extending through the twenty-sixth (26th) year, and shall be paid to each employee.

Employees of record as of September 1, 1984, shall be regarded as having started at the "2nd Year" step for longevity progression purposes.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective October 15, 1995:

MINNEAPOLIS FIRE CHIEFS ASSOCIATION (MFCA)

Effective October 15, 1995

FLSA	OTC	CODE	CLASSIFICATION		1st P STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP
E	3	234	Asst. Fire Marshall	B	\$1,997	2,032	2,067	2,100	2,134	2,171
E	3	236	Asst. Training Officer							
E	3	240	Engineering Officer							
E	3	228	District Fire Chief	B	2,171	2,207	2,243	2,279	2,316	
E	3	227	Deputy Fire Chief	B	2,414	2,462	2,506	2,552		
E	1	233	Director, Fire College							
E	1	235	Fire Marshall							

LONGEVITY: At the beginning of the eighth (8th) year of fire service, a twelve dollar (\$12.00) bi-weekly longevity payment shall be paid to each employee.

An additional five dollars (\$5.00) bi-weekly increase for each year of fire service above eight (8) years, commencing with the ninth (9th) year extending through the twenty-sixth (26th) year, and shall be paid to each employee.

Employees of record as of September 1, 1984, shall be regarded as having started at the "2nd Year" step for longevity progression purposes.

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective October 15, 1996:

MINNEAPOLIS FIRE CHIEFS ASSOCIATION (MFCA)

Effective October 15, 1996

FLSA	OTC	CODE	CLASSIFICATION		1st P STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP
E	3	234	Asst. Fire Marshall	B	\$2,037	2,073	2,108	2,142	2,177	2,214
E	3	236	Asst. Training Officer							
E	3	240	Engineering Officer							
E	3	228	District Fire Chief	B	2,214	2,251	2,288	2,325	2,362	
E	3	227	Deputy Fire Chief	B	2,462	2,511	2,556	2,603		
E	1	233	Director, Fire College							
E	1	235	Fire Marshall							

LONGEVITY: At the beginning of the eighth (8th) year of fire service, a twelve dollar (\$12.00) bi-weekly longevity payment shall be paid to each employee.

An additional five dollars (\$5.00) bi-weekly increase for each year of fire service above eight (8) years, commencing with the ninth (9th) year extending through the twenty-sixth (26th) year, and shall be paid to each employee.

Employees of record as of September 1, 1984, shall be regarded as having started at the "2nd Year" step for longevity progression purposes.

Section 4. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective October 15, 1997:

MINNEAPOLIS FIRE CHIEFS ASSOCIATION (MFCA)

Effective October 15, 1997

FLSA	OTC	CODE	CLASSIFICATION	1st P STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP
E	3	234	Asst. Fire Marshall	B \$2,099	2,136	2,172	2,207	2,243	2,281
E	3	236	Asst. Training Officer						
E	3	240	Engineering Officer						
E	3	228	District Fire Chief	B 2,281	2,320	2,358	2,396	2,434	
E	3	227	Deputy Fire Chief	B 2,537	2,587	2,634	2,682		
E	1	233	Director, Fire College						
E	1	235	Fire Marshall						

LONGEVITY: At the beginning of the eighth (8th) year of fire service, a twelve dollar (\$12.00) bi-weekly longevity payment shall be paid to each employee.

An additional five dollars (\$5.00) bi-weekly increase for each year of fire service above eight (8) years, commencing with the ninth (9th) year extending through the twenty-sixth (26th) year, and shall be paid to each employee.

Employees of record as of September 1, 1984, shall be regarded as having started at the "2nd Year" step for longevity progression purposes.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying amendments to the **Salary Ordinance** establishing the salary for the following reclassified or upgraded positions, based on studies of the positions conducted by the Department of Human Resources:

- a) Yard Coordinator II, Public Works;
- b) Construction Equipment Operator/Oiler, Public Works;
- c) Traffic Control Agent I, Licenses & Consumer Services; and
- d) Traffic Control Agent II, Licenses & Consumer Services.

ORDINANCE 97-Or-026

By Campbell

1st & 2nd Readings: 3/7/97

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

LABORERS, CITY EMPLOYEES LOCAL 363 (0363)

Effective: May 26, 1994

FLSA	OTC	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP
NE	2	Yard Coordinator II	\$15.08	15.85	16.62	17.43

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

LABORERS, CITY EMPLOYEES LOCAL 363 (0363)

Effective: October 16, 1994

FLSA	OTC	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP
NE	2	Yard Coordinator II	\$15.38	16.17	16.95	17.78

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

LABORERS, CITY EMPLOYEES LOCAL 363 (0363)

Effective: October 16, 1995

FLSA	OTC	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP
NE	2	Yard Coordinator II	\$15.69	16.49	17.29	18.14

Section 4. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Hourly Rates)

LABORERS, CITY EMPLOYEES LOCAL 363 (0363)

Effective: October 16, 1996

FLSA	OTC	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP
NE	2	Yard Coordinator II	\$16.00	16.82	17.64	18.50

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-027

By Campbell

1st & 2nd Readings: 3/7/97

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following change:

LOCAL #49, International Union of Operating Engineers (0049)

Effective August 6, 1996

FLSA	OTC	CODE	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	031	Construction Equipment Operator/Oiler	\$13.67	14.81	15.96	16.22	16.48	16.74	17.01

Construction Equipment
 Operator/Oiler Apprentice
 0-1000 hours \$10.21
 1001-2000 hours 11.91
 2001-3000 hours 13.61
 3001-4000 hours 15.31

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following change:

LOCAL #49, International Union of Operating Engineers (0049)
Effective January 1, 1997

FLSA	OTC	CODE	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	031	Construction Equipment Operator/Oiler	\$13.94	15.11	16.28	16.54	16.81	17.07	17.35
			Construction Equipment Operator/Oiler Apprentice							
			0-1000 hours	\$10.41						
			1001-2000 hours	12.15						
			2001-3000 hours	13.88						
			3001-4000 hours	15.62						

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-028

By Campbell

1st & 2nd Readings: 3/7/97

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to
 Administration: Personnel**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Biweekly Rates)

AFSCME LOCAL #9 (C009)

Effective: January 1, 1995

FLSA	OTC	CODE	CLASSIFICATION	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	872	Traffic Control Agent I	\$1001.20	1051.20	1103.20	1158.20	1216.20	1277.20	1340.20

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Biweekly Rates)

AFSCME LOCAL #9 (C009)

Effective: October 16, 1995

FLSA	OTC	CODE	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	872	Traffic Control Agent I	\$1021	1072	1125	1181	1241	1303	1367

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Biweekly Rates)

AFSCME LOCAL #9 (C009)

Effective: October 16, 1996

FLSA	OTC	CODE	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	3	872	Traffic Control Agent I	\$1041	1093	1148	1205	1266	1329	1394

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-029

By Campbell

1st & 2nd Readings: 3/7/97

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to
Administration: Personnel**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Biweekly Rates)

MINNEAPOLIS CITY SUPERVISORS ASSOCIATION (MCSA)

Effective: June 5, 1995

FLSA	OTC	CODE	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	3	870	Traffic Control Agent II	\$1183	1243	1304	1370	1439	1510	1586

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Biweekly Rates)

MINNEAPOLIS CITY SUPERVISORS ASSOCIATION (MCSA)

Effective: October 16, 1995

FLSA	OTC	CODE	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	3	870	Traffic Control Agent II	\$1207	1268	1330	1397	1468	1540	1618

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Biweekly Rates)

MINNEAPOLIS CITY SUPERVISORS ASSOCIATION (MCSA)

Effective: October 16, 1996

FLSA	OTC	CODE	CLASSIFICATION	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
E	3	870	Traffic Control Agent II	\$1231	1293	1357	1425	1497	1571	1650

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to extend the time of performance on Contract #10017 with the Greater Minneapolis Day Care Association (Fan #18-1 and 18-2) to May 31, 1998, to allow additional time for use of funds for the Child Care Facility Renovation Program and to carry over Public Service Sliding Fee funds.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to Minneapolis Public Schools, providing Minnesota City Grants funding for early intervention truancy programming:

Funds	Master Agency	Contract #	Period	Amount	FAN#
060-860-8605	Mpls Public Schools	10019	7/1/96-6/30/97	\$47,500	#25-1

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notices (FAN) to the Minneapolis Urban League providing for an administrative Community Development Block Grant (CDBG) fund adjustment regarding the North High School Academy of Manufacturing and Engineering Technology:

Funds	Agency	Master Contract #	Period	Incr/Decr	FAN#
040-860-8600	Mpls Urban League	10001	6/1/96-12/31/97	(\$30,656)	22-1b
040-860-8600	Mpls Urban League	10001	6/1/97-12/31/97	\$30,656	32-1

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to the Minneapolis Urban League providing for allocation of Year 22 Community Development Block Grant (CDBG) funding for Curfew/Truancy Center operations:

Funds	Agency	Master Contract #	Period	Amount	FAN#
040-860-8605	Mpls Urban League	10001	6/1/96-5/31/98	\$127,478	#18-1

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends passage of the accompanying resolution requesting that the Board of Estimate and Taxation concur in the request of the Minneapolis Park and Recreation Board to transfer certain park project capital funds.

RESOLUTION 97R-051

By Campbell

Requesting the Board of Estimate and Taxation to concur in the transfer of Net Debt Bond Funds.

Whereas, the Minneapolis Park and Recreation Board has completed the following park projects:

Completed	Unencumbered
<u>Park Projects</u>	<u>Balance</u>
Currie	\$296.35
Luxton Site	35,254.21
<u>Kenwood Parkway</u>	<u>135,405.60</u>
Total	\$170,956.16

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to concur in the transfer of the total balance of \$170,956.16 of the completed park projects listed above to the following projects:

<u>Project</u>	<u>Amount</u>
Todd Park	\$17,463.43
Historic Toilets at Lake Harriet	45,000.00
Powderhorn Community Center	85,492.73
Hennepin Av Sculpture Garden Lighting	20,000.00
Matthew Center	3,000.00

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republish April 1, 1997).

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the certain structures/buildings for heritage preservation (local designation), pursuant to Title 2, Chapter 34 of the Minneapolis Code of Ordinances relating to Administration: Heritage Preservation Commission, and having held a public hearing thereon, now recommends passage of the accompanying resolution designating the exterior

of the Old East Lake Library, 2916 E Lake St and the exterior of the Linden Hills Library, 2900 W 43rd St, for heritage preservation.

RESOLUTION 97R-052

By Scott

Designating the exteriors of the Old East Lake Library, 2916 East Lake Street, and the Linden Hills Library, 2900 West 43rd Street, for heritage designation.

Whereas, the Minneapolis Heritage Preservation Commission had recommended to the City Council that the exterior of the Old East Lake Library, 2916 East Lake Street, and the exterior of the Linden Hills Library, 2900 West 43rd Street, be designated for heritage preservation; and

Whereas, prior to such recommendation and in compliance with section 34.40 of the Minneapolis Code of Ordinances, the Heritage Preservation Commission did refer the subject matter to the City Planning Commission for review and recommendation, such recommendation being made January 22, 1997, approving the designation; and further did refer the subject to the Minnesota Historical Society for review and comment, such favorable comment being made November 21, 1996; and

Whereas, the Zoning and Planning Committee of the City Council held a public hearing on February 25, 1997, with such due and proper notice as required by Section 34.50 of the Minneapolis Code of Ordinances;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the exterior of the Old East Lake Library, 2916 East Lake Street, and the exterior of the Linden Hills Library, 2900 West 43rd Street, are designated for heritage preservation, and that the property City Officers and the Heritage Preservation Commission are directed to comply with the provisions of Section 34.60 through 34.90 of the Minneapolis Code of Ordinances.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends concurrence in the recommendation of the Planning

Commission granting the petition of Fred Linehan (P-1011) to rezone property at 3017 W 56th St from B2S-1 to the B1-1 District and 5600 Washburn Av S from R1 to the B1-1 District to permit construction of a driveway for access to a proposed garage to be attached to the existing office at 3017 W 56th St, and that the accompanying amendment to the Zoning Ordinance be passed (63656).

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-030

By Scott

1st & 2nd Readings: 3/7/97

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of (1) All of Tracts A and B except the Westerly 100 ft thereof; that part of the North 3 ft of Tract C lying Easterly of the Southerly 100 ft thereof, Registered Land Survey No. 414, Hennepin Cty, MN (3017 W 56th St); and (2) The West 26 ft of Lot 1, Block 1, Xerxes Manor Estates Addition of Minneapolis (5600 Washburn Av S) (Plate 35) to the B1-1 District.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends concurrence in the recommendation of the Planning Commission granting the petition of BSR Properties (P-1012) to rezone property at 600 Washington Av S from M2-4 to the M2-4 with an Industrial Living Overlay District designation to permit seven dwelling units plus other uses

permitted in M2 Districts, and that the accompanying amendment to the Zoning Ordinance be passed (63657).

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-031

By Scott

1st & 2nd Readings: 3/7/97

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 5, Block 30, Town of Minneapolis, Hennepin County, MN (600 Washington Av N – Plate 13) to the M2-4 with an Industrial Living Overlay District designation.

Adopted. Yeas, 12; Nays none.

Absent – Rainville.

Passed March 7, 1997. J. Cherryhomes, President of Council.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the application of Fred Downing for a special permit, notwithstanding the Zoning Code, to erect two 12' X 25' off-premise advertising billboard signs at 3634 Central Av NE, subject to the condition that there be no liquor or tobacco product advertising (#1996-212), and having received Findings of Fact thereon, now recommends that said application be forwarded without recommendation.

Scott moved that the report be postponed.

Seconded.

Adopted upon a voice vote.

Z&P – Your Committee recommends granting the application of Susan Erickson for a special permit, notwithstanding the Zoning Code, to install

one 4' X 6' projecting sign for the Police Downtown Command Offices at 29 S 5th St (#1997-016).

Adopted. Yeas, 11; Nays none.

Declining to vote – Biernat.

Absent – Rainville.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMITTEE OF THE WHOLE** submitted the following report:

Comm of the Whole – Your Committee rises and reports that it has had under consideration the recommendations of the Joint Minneapolis Saint Paul Living Wage Jobs Task Force; and that the Community Development Committee has held a public hearing thereon; and the Committee of the Whole now recommends passage of the accompanying resolution adopting a Living Wage Policy. (Petn No 262554)

Minn moved to substitute for the accompanying resolution the Joint Minneapolis-St Paul Living Wage Jobs Task Force Policy Recommendations, as set forth in Petn No 262553.1 on file in the Office of the City Clerk. Seconded.

Lost. Yeas, 5; Nays, 8 as follows:

Yeas – Scott, Schulstad, Rainville, Dziedzic, Minn.

Nays – Herron, Thurber, Campbell, Biernat, Niland, McDonald, Mead, Cherryhomes.

RESOLUTION 97R-053

By Niland, Biernat, Campbell, Cherryhomes, Herron, McDonald, Mead and Thurber

Adopting a Living Wage Policy.

Resolved that The City Council of The City of Minneapolis adopt the following Living Wage Policy:

Preamble: The following recommendations are made in order to assure that whenever Minneapolis invests public funds in economic development projects, those projects create the greatest number of living wage jobs possible for Minneapolis residents. In addition to these specific recommendations, City policy makers must keep the critical need for living wage jobs before them whenever they consider investing public dollars in development projects.

1. City economic development assistance should require the creation or retention of full time jobs with a living wage –

A) Except when any of the following conditions are met:

i) the cumulative assistance package totals less than \$100,000 in any one fiscal year; or

ii) the business receiving the assistance is a small business as defined by Minnesota Statute 645.445; or

iii) the recipient is an intermediary, such as a community development corporation or community bank, which serves as a pass-through agency for the granting of assistance.

B) Assistance in excess of \$100,000 in any one fiscal year will trigger this provision. For the purpose of this provision, assistance should be broadly defined as:

i) land sales at less than a fair market price when the amount of the reduction in the sale price below the fair market price exceeds the assistance trigger;

ii) loans (staff will return with administrative guidelines on how loans will be treated under this policy);

iii) bonds excluding conduit bonds (which are subject to existing job linkage requirements);

iv) grants; and

v) City tax incentives.

City economic development assistance relating to projects in which the primary objective is job creation/retention will be more clearly defined in administrative guidelines.

2. Projects whose only public assistance is site remediation, investigation, and assembly will be reviewed according to Principle Number 6 of this resolution and will be exempt from monitoring and sanctions requirements.

3. Assistance packages above \$100,000 to non-exempted businesses will have to create or retain a fixed ratio of jobs per \$100,000. Administrative guidelines will provide suggested ratios by specific job creation or retention program.

4. A living wage will be defined and indexed as 110% of the federal poverty level for a family of four. Staff are directed to return to the Council/ Minneapolis Community Development Agency Board of Commissioners with recommendations on whether the living wage should be defined as 100% of the federal poverty level for a family of four for businesses that provide employer-paid basic health insurance coverage that meets administrative guidelines.

5. The Minneapolis Community Development Agency (MCDA) and the Minneapolis Employment and Training Program (METP) shall work with assisted businesses to establish a goal that 60% of new jobs created will be held by City residents. These jobs should be advertised to the entire community including low-income people through community sponsored organizations and/or job linkage programs.

6. The City of Minneapolis will focus its job creation and retention assistance at businesses which demonstrate a clear and ongoing commitment to the community by providing living wage jobs to their employees and to residents where applicable by giving priority to these businesses over businesses which have not traditionally paid living wages.

7. All other things being equal and to the extent legally possible, the City of Minneapolis will give preferential status for job creation and retention assistance to businesses that engage in responsible labor relations. Responsible labor relations are defined as neutrality on union organizing, providing a complete and accurate list of names and addresses of employees, reasonable access to employees and facilities during non-working periods, voluntary recognition based on a card check demonstrating that a union represents a majority of employees in a bargaining unit, and binding arbitration on the first contract.

8. The City of Minneapolis, working through the MCDA, will impose sanctions for non-compliance with these requirements.

9. The MCDA and the METP will report on compliance with these requirements, as a part of the annual job linkage report to the City Council.

10. Work presently being performed by City employees may not be contracted out unless the contractors pay employees performing that work a living wage or the current City wage and benefits, whichever is higher.

11. To the extent legally possible, City contracts awarded for service will, within four years, beginning in 1997, be awarded to contractors who pay at a minimum a living wage for employees performing that contract service.

12. The Minneapolis City Council shall direct their purchasing staff to develop by August 1997 policies and practices for contracting and purchasing of goods and services to encourage the creation of living wage jobs.

13. The City of Minneapolis acknowledges the need for job readiness services for some City residents who face serious social and economic

barriers to employability. Many of these residents need to establish a stable work history before they are able to move on to living wage jobs. The City of Minneapolis exempts organizations whose primary mission is to provide job readiness and training services, and whose primary purpose of requesting funding is to provide those services.

14. The City of Minneapolis will work with the Metropolitan Council and other appropriate state and regional agencies and the legislature to promote common standards consistent along these guidelines for job creation and retention assistance by public development agencies throughout the region.

15. Although our primary focus is on the creation of living wage jobs where public assistance is received, Minneapolis cannot achieve its economic development goals without a trained and work-ready workforce and adequate day care. Minneapolis will commit to assist area businesses to obtain trained and work-ready employees and to facilitate access to child care.

16. Administrative guidelines should be developed by the MCDA staff and brought before the MCDA Board of Commissioners for review and adoption. These guidelines should explain in detail how each of the policy recommendations will be implemented.

17. Because job readiness is a primary challenge to the success of any wage initiative, and because it is of importance to the residents of Minneapolis as well as to businesses that develop here, the Minneapolis City Council directs the METP to report annually on current job readiness, training and apprenticeship activities.

Adopted. Yeas, 12; Nays, none.

Declining to Vote – Minn.

Passed March 7, 1997. J. Cherryhomes,
President of Council.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

(Republished April 5, 1997).

MOTIONS

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of April 1997 be approved and ordered paid subject to audit by the Finance Officer.
Seconded.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.
(Republished April 5, 1997).

Minn moved to refer the subject matter of an ordinance amendment relating to the subject matter of the Linden Hills Zoning Overlay District to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Scott moved to refer the subject matter of an amendment to the telecommunications ordinance regarding using light towers as telecommunications towers, to the Zoning & Planning Committee. Seconded.

Adopted upon a voice vote.

Biernat moved to refer the subject matter of an Ordinance amendment to facilitate the inspections of rental property under the City's current rental dwelling licensing ordinance, to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

Niland moved approval of the Mayor's reappointment and appointment of the following people to the Minneapolis Arts Commission for two year terms to expire January 31, 1999 (Petn No 262556):

Reappoint Dawn M. Loven, 3214 Cleveland Street NE (artist position);

Reappoint Geol L. Weirs, 2528 Pillsbury Av S (administrative position);

Appoint Stephen Thomas Rueff, 3649 Grand Av S (lay position); and

Appoint Dana Flor Elsen, 1314 Newton Av N (lay position). Seconded.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Herron moved approval to pay the claim of John Tokpah, in the amount of \$3,200. Seconded.

Adopted. Yeas, 13; Nays none.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Minn moved to refer the subject matter of joint office space for police and fire arson units to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

Biernat moved to refer the subject matter of an ordinance amending Title 14 of the Minneapolis Code of Ordinances relating to **Liquor and Beer**, to permit the City to conduct studies of license related issues and enact moratoria ordinances to implement such studies, to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

UNFINISHED BUSINESS

Power Plants: **Sent forward without recommendation**, Ordinance amending Title 20 of the Minneapolis Code of Ordinances, adding definition of coal-fired power plants & making coal-fired power plants permitted uses in the M2 zoning districts, with exception:

Chapter 522 relating to **Zoning Code: In General**

Chapter 542 relating to **Zoning Code: Manufacturing Districts**. (Postponed 5/24/96, Z&P)

Z&P – Your Committee requests unanimous consent to introduce the following ordinances amending Title 20 of the Minneapolis Code of Ordinances, adding the definition of coal-fired power plants and making coal-fired power plants permitted uses in the M2 zoning districts, with exception, for first reading:

Amending Chapter 522 relating to **Zoning Code: In General**;

Amending Chapter 542 relating to **Zoning Code: Manufacturing Districts**.

Your Committee recommends that said ordinances be forwarded for second reading without recommendation.

Unanimous consent was granted for first reading.

Campbell moved that the report be amended by deleting the language "forwarded for second reading without recommendation" in the second paragraph and inserting in lieu thereof the language "be given their second reading for amendment and passage". Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted. Yeas, 12;
Nays, 1 as follows:

Yeas – Scott, Schulstad, Herron, Rainville,
Dziedzic, Thurber, Campbell, Biernat, Niland,
McDonald, Mead, Cherryhomes.

Nays – Minn.

Passed March 7, 1997.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 97-Or-032

By Campbell & Scott

Intro & 1st Reading: 3/8/96

Ref to: Z&P

2nd Reading: 3/7/97

**Amending Title 20, Chapter 542 of the
Minneapolis Code of Ordinances relating to
Zoning Code: Manufacturing Districts.**

The City Council of The City of Minneapolis
do ordain as follows:

Section 1. That Section 542.660 of the above-
entitled ordinance be amended by adding thereto a
new subdivision (6) to read as follows:

542.660. Permitted uses. The following uses
are permitted in the M2 Districts:

(6) COAL-FIRED POWER PLANTS
EXCEPT THAT NO SUCH FACILITY WHICH
DOES NOT RELY ON THE MISSISSIPPI RIVER
WATER FOR OPERATIONAL PURPOSES OR
FUEL TRANSPORTATION SHALL BE
LOCATED, ESTABLISHED, CONSTRUCTED,
EXPANDED, RENOVATED, OR INCREASED
OR INTENSIFIED WITH RESPECT TO POWER
PRODUCTION WITHIN THE CRITICAL AREA
OF THE MISSISSIPPI RIVER CORRIDOR AS
DEFINED IN THE MISSISSIPPI RIVER
CRITICAL AREA DESIGNATED IN
MINNESOTA STATUTES, SECTION 116G.15
(1994).

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Scott, Schulstad, Herron, Rainville,
Dziedzic, Thurber, Campbell, Biernat, Niland,
McDonald, Mead, Cherryhomes.

Nays – Minn.

Passed March 7, 1997. J. Cherryhomes,
President of Council.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.
(Republished April 5, 1997).

ORDINANCE 97-Or-033

By Campbell & Scott

Intro & 1st Reading: 5/24/96

2nd Reading: 3/7/97

**Amending Title 20, Chapter 522 of the
Minneapolis Code of Ordinances relating to
Zoning Code: In General.**

The City Council of The City of Minneapolis
do ordain as follows:

Section 1. That Section 522.40 of the above-
entitled ordinance be amended by adding a new
definition in alphabetical sequence to read as
follows:

522.40. Definitions. As used in the zoning
code, the following words and phrases shall mean:
COAL-FIRED POWER PLANT. A
FACILITY WHICH GENERATES POWER IN
THE FORM OF ELECTRICITY OR THERMAL
ENERGY AND WHICH USES OR IS
DESIGNED TO USE COAL OR FUELS
DERIVED FROM COAL TO PRODUCE MORE
THAN FIFTY PERCENT (50%) OF ITS TOTAL
OUTPUT CAPACITY.

Adopted. Yeas, 12; Nays, 1 as follows:

Yeas – Scott, Schulstad, Herron, Rainville,
Dziedzic, Thurber, Campbell, Biernat, Niland,
McDonald, Mead, Cherryhomes.

Nays – Minn.

Passed March 7, 1997. J. Cherryhomes,
President of Council.

Approved March 13, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Raze Building: Auth at 3430 1st Av S.
(Postponed 1/24/97, PS&RS)

Herron moved to continue postponement.
Seconded.

Adopted upon a voice vote.

**CONSIDERATION
OF MAYOR'S VETO**

Mayor Sayles Belton returning with her veto
the report of the Intergovernmental Relations
Committee passed by the Council February 21,
1997, relating to proposed legislation for rental
property tax relief, and stating her objections
thereto.

Rainville moved to postpone. Seconded.
Adopted upon a voice vote.

NEW BUSINESS

Biernat gave notice of intent to discharge the Public Safety & Regulatory Services Committee from further consideration of an interim ordinance establishing a moratorium on the establishment of facilities with Class A liquor licenses having adult entertainment on the premises, at the next regular Council meeting.

Dziedzic offered an Ordinance amending Title 18, Chapter 478 of the Minneapolis Code of Ordinances relating to TRAFFIC CODE: PARKING, STOPPING AND STANDING, which was given its first reading and referred to the Transportation & Public Works Committee (To permit commercial vehicles, except taxis, to use no parking zones for loading/unloading for a period not to exceed 30 minutes).

Campbell moved to adjourn. Seconded.

Adopted. Yeas, 13; Nays none.

Adjourned.

MERRY KEEFE,
City Clerk.
97-2348